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FEDERAL COMMUNICATIONS COMMISSION

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F.C.C. 72-108

BEFORE THE

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

In the Matter of	
AMENDMENT OF PART 74, SUBPART K, OF THE COMMISSION'S RULES AND REGULATIONS RELATIVE TO COMMUNITY ANTENNA TELEVISION SYSTEMS; AND INQUIRY INTO THE DEVELOPMENT OF COMMUNICATIONS TECHNOLOGY AND SERVICES TO FORMULATE REGULATORY POLICY AND RULEMAKING AND/OR LEGISLATIVE PROPOSALS	Dockets Nos. 18397; 18397-A
AMENDMENT OF SECTION 74.1107 OF THE COMMISSION'S RULES AND REGULATIONS TO AVOID FILING OF REPETITIOUS REQUESTS	Docket No. 18373
AMENDMENT OF SECTION 74.1031(c) AND 74.1105 (a) AND (b) OF THE COMMISSION'S RULES AND REGULATIONS AS THEY RELATE TO ADDITION OF NEW TELEVISION SIGNALS	Docket No. 18416
AMENDMENT OF PART 74, SUBPART K, OF THE COMMISSION'S RULES AND REGULATIONS RELATIVE TO FEDERAL-STATE OR LOCAL RELATIONSHIPS IN THE COMMUNITY ANTENNA TELEVISION SYSTEM FIELD; AND/OR FORMULATION OF LEGISLATIVE PROPOSALS IN THIS RESPECT	Docket No. 18892
AMENDMENT OF SUBPART K OF PART 74 OF THE COMMISSION'S RULES AND REGULATIONS WITH RESPECT TO TECHNICAL STANDARDS FOR COMMUNITY ANTENNA TELEVISION SYSTEMS	Docket No. 18894

CABLE TELEVISION REPORT AND ORDER

(Adopted February 2, 1972; Released February 3, 1972)

BY THE COMMISSION: COMMISSIONERS BURCH, CHAIRMAN; BARTLEY, REID, AND WILEY CONCURRING AND ISSUING STATEMENTS; COMMISSIONER ROBERT E. LEE DISSENTING AND ISSUING A STATEMENT; COMMISSIONER JOHNSON CONCURRING IN PART AND DISSENTING IN PART AND ISSUING A STATEMENT; COMMISSIONER H. REX LEE ABSENT.

The Commission has the following before it for consideration:

(a) *Notice of Proposed Rule Making in Docket 18373*,[1] *Notice of Proposed Rule Making in Docket 18416*,[2] *Notice of Proposed Rule*

[1] FCC 68-1094, 33 Fed. Reg. 17855.
[2] FCC 69-9, 34 Fed. Reg. 872.

Making and Notice of Inquiry in Docket 18397,[3] *Further Notice of Proposed Rule Making in Docket 18397*,[4] Public Notice Mimeo #35632 released July 23, 1969, *Second Further Notice of Proposed Rule Making in Docket 18397–A*,[5] all of which concern the carriage of television broadcast signals by CATV systems and/or the use of CATV channels for the distribution of nonbroadcast programming;

(b) *Notice of Proposed Rule Making in Docket 18894*,[6] which concerns standards to govern the technical performance of CATV systems, minimum channel requirements, two-way transmission capability, and separate neighborhood program origination centers;

(c) *Notice of Proposed Rule Making in Docket 18892*,[7] concerning the appropriate division of regulatory jurisdiction between the federal and state and local levels of government and a limitation on the local franchise fees paid by CATV systems;

(d) The comments and reply comments filed in each of the above;

(e) Transcript of oral argument in Docket 18397 held before the Commission *en banc* on February 3 and 4, 1969; and

(f) Transcript of panel discussions and oral presentations in Dockets 18397–A, 18891, 18892, and 18894 held with and before the Commission *en banc* on March 11, 12, 15, 18, 19, 22, 23, 25, and 26, 1971.[8]

INTRODUCTION

1. In our *Notice of Proposed Rule Making and Notice of Inquiry in Docket 18397*, we launched an inquiry into the long-range development of cable television.[9] Our purpose was to explore:

> . . . [H]ow best to obtain, consistent with the public interest standard of the Communications Act, the full benefits of developing communications technology for the public, with particular immediate reference to CATV technology and potential services. . . .

Though designed as a vehicle for eliciting comments and data, our *Notice* recognized the variety of possible services that cable systems could offer. We did not attempt an all-inclusive listing of cable's potential uses, but took note of many.[10]

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[3] FCC 68–1176, 15 FCC 2d 417 (1968), 33 Fed. Reg. 19028.
[4] FCC 69–516, 22 FCC 2d 603 (1969), 34 Fed. Reg. 7981.
[5] FCC 70–676, 24 FCC 2d 580 (1970), 35 Fed. Reg. 11045.
[6] FCC 70–679, 25 FCC 2d 38 (1970), 35 Fed. Reg. 11036.
[7] FCC 70–675, 22 FCC 2d 50 (1970), 35 Fed. Reg. 11044.
[8] For orders establishing panel discussion procedure see 27 FCC 2d 303 (1971) and 27 FCC 2d 932 (1971).
[9] The Commission has heretofore generally referred to community-wide, broadband, coaxial cable, television broadcast signal distribution systems as Community Antenna Television or CATV systems. Because of the broader functions to be served by such facilities in the future, they are generally referred to herein by use of the more inclusive term cable television systems, although the older term is sometimes used.
[10] "[F]acsimile reproduction of newspapers, magazines, documents, etc.; electronic mail delivery; merchandising; business concern links to branch offices, primary customers or suppliers; access to computers; e.g., man to computer communications in the nature of inquiry and response (credit checks, airlines reservations, branch banking, etc.), information retrieval (library and other reference material, etc.), and computer to computer communications; the furtherance of various governmental programs on a Federal, State and municipal level; e.g., employment services and manpower utilization, special communications systems to reach particular neighborhoods or ethnic groups within a community, and for municipal surveillance of public areas for protection against crime, fire detection, control of air pollution and traffic; various educational and training programs; e.g., job and literacy training, pre-school programs in the nature of 'Project Headstart,' and to enable professional groups such as doctors to keep abreast of developments in their fields; and the provision of a low cost outlet for political candidates, advertisers, amateur expression (e.g., community or university drama groups) and for other moderately funded organizations or persons desiring access to the community or a particular segment of the community." 15 FCC 2d 417, 420.

2. Our recognition of the importance and promise of cable development led to our proposing rules requiring program origination and a system of annual reports. The Commission indicated, further, that it intended to prescribe technical standards but that it would first issue a further notice proposing specific criteria. In addition, the Commission recognized, but did not propose rules to resolve, the problems of the proper relationship between local and federal regulation. We noted that cable television service has tended to develop on a "noncompetitive, monopolistic basis in the areas served," thus denying cable subscribers "the normal protection afforded consumers by providing a choice between alternative suppliers." While we then declined to extend "our jurisdiction to the licensing of CATV systems," we expressed a belief that "local, state and federal governmental agencies must face up to providing some means of consumer protection in this area." And we emphasized that "[s]uch regulation, while called for in the case of present CATV operations, would be particularly appropriate in light of CATV operations with originations."

3. At the same time, the Commission undertook an inquiry into diversifying the ownership of cable in combination with other mass communications media. We made these specific proposals: to ban cross-ownership of cable with specified types of broadcast stations and to limit the number of commonly-owned systems. The Commission also indicated its belief that encouraging cable systems to operate as common carriers on nonbroadcast channels would serve the public interest. Additionally, it was proposed that distant signal importation into television markets be conditioned on cable systems' obtaining "retransmission consent" from distant stations, and the Commission stated that it would authorize distant signal importation with retransmission consent in a limited number of cases in order to gain experience with the proposal. Finally, the Commission posed a number of related questions concerning the future development of CATV. 15 FCC 2d 417, 422.

4. The *First Report and Order in Docket 18397* [11] was the first significant action in the proceeding and established the ground rules for cable origination. Basically, the Commission decided that origination served the public interest, allowed cable systems to present commercials at natural breaks, encouraged the development of public access channels, approved interconnection of cable facilities, provided that cable systems with 3,500 or more subscribers would be required to originate, adopted anti-siphoning rules for pay-cable operations, and adopted broadcast-type rules to deal with equal time, sponsorship identification, and fairness. Shortly thereafter, the Commission adopted rules permitting the use of private microwave facilities by cable systems for carrying locally-originated programs.[12]

5. In June, 1970 we issued further proposals on television broadcast signal carriage,[13] cross-ownership of cable systems and radio stations and cable and newspapers, multiple ownership,[14] technical performance

[11] 20 FCC 2d 201 (1969), *stay denied*, 20 FCC 2d 899 (1969), *recon. denied*, 23 FCC 2d 825 (1970).
[12] *Report and Order in Docket 18452*, 20 FCC 2d 415 (1969); *Report and Order in Docket 17999*, 20 FCC 2d 422 (1969).
[13] *Second Further Notice of Proposed Rule Making in Docket 18397–A, supra*, note 5.
[14] *Notice of Proposed Rule Making in Docket 18891*, 23 FCC 2d 833 (1971).

standards, minimum channel capacity, two-way transmission capability, local origination centers,[15] and the division of jurisdiction between the federal and state-local levels of government.[16] These were followed later by proposals concerning the logging of cable-cast programming,[17] equal opportunities in employment practices,[18] and the use of call letters in connection with nonbroadcast channels.[19]

6. In Docket 18892, the Commission requested comments on the inter-relationship of local and state regulation of cable with federal regulation. It was also proposed that there be a limitation of two percent of revenues on local franchise fees. The Commission offered alternative models of federal/local relationships, including federal licensing and federal standards for local application. Under the latter approach, the local entity would consider legal and financial questions and measure the character qualifications of franchise applicants. And local governments would, in turn, certify to the Commission that the various criteria had been considered.

7. In Docket 18397–A, the Commission proposed to permit cable systems in the top 100 markets to carry four distant independent signals if they deleted commercials on the distant signals and replaced them with commercials provided by local television stations. As a further condition to distance signal importation, systems would be required to pay five percent of their gross subscription revenues to support public broadcasting. Additionally, the Commission asked for comments on whether cable systems should be required to provide local government, public access, educational, and leased channels. Comments were also requested on a proposal that systems with 20 or more channels set aside half their capacity for such uses.

8. The preceding is illustrative of the range of regulatory controversy that has surrounded the cable television industry in recent years. Technological advances have multiplied the issues. At first, cable television systems served largely to provide subscribers with better quality reception and more channels of conventional broadcast television programming. While need for these services continues, increasingly sophisticated cable technology and cost reductions and improvements in the quality of program origination equipment have made possible increased channel capacity, low cost nonbroadcast programming, and a subscriber response capability. The confluence of these developments provides the basis for the next stage in cable television's evolution with which the rules now adopted are concerned. Additional services and further technological developments are under study as part of the industry's more distant future.

9. Our initial rule making proposals were issued in December, 1968, and oral presentations with respect to those proposals were heard in February, 1969. As discussed above, portions of that proceeding were resolved separately, additional rule making proposals were issued, and further comments received. In March, 1971 further oral presentations were heard, part of which were in the form of panel

[15] *Notice of Proposed Rule Making in Docket 18894, supra*, note 6.
[16] *Notice of Proposed Rule Making in Docket 18892, supra*, note 7.
[17] *Notice of Proposed Rule Making in Docket 19128*, 27 FCC 2d 18 (1971).
[18] *Notice of Proposed Rule Making in Docket 19246*, 29 FCC 2d 18 (1971).
[19] *Notice of Proposed Rule Making in Docket 19334*, FCC 71–1084 (1971).

discussions between the Commission and recognized authorities on specific issues. Following the public proceedings, the Commission formulated a cable program designed to allow for fulfillment of the technological promise of cable and, at the same time, to maintain the existing structure of broadcast television. The framework of the new program was described to the Congress in testimony before the Senate Communications Subcommittee on June 15, 1971 and before the House Communications and Power Subcommittee on July 22, 1971. In order to permit the Committees and the Congress ample opportunity to consider its proposals prior to final adoption, the Commission on August 5, 1971 adopted a "Letter of Intent" [20] in which it described in detail the course it planned to adopt.

10. Over the years that the Commission has been evolving a cable program, it has had the benefit of a number of independent studies of the cable industry—of its possible impact on broadcast television, its potential for advancing national goals, and its appropriate role in a total communications structure. These have provided valuable input for the formulation of our regulatory policies. We have also witnessed over the last several years repeated attempts by the affected industries to resolve their differences. Following release of our Letter of Intent further negotiations were undertaken, and agreement was reached on a proposal that was supported by the National Cable Television Association, the National Association of Broadcasters, the Association of Maximum Service Telecasters, and a major group of program suppliers. This consensus agreement is fully discussed later in this Report and it, too, has had significant impact on the direction of our settlement of the complex questions having to do with distant signals/copyright.

11. As indicated, the rules we are adopting are the result of a number of interwoven proceedings. The program is designed as a single package because each part has impact on all the others. Our concerns may generally be divided into four main areas:

television broadcast signal carriage;
access to, and use of nonbroadcast cable channels, including minimum channel capacity;
technical standards;
the appropriate division of regulatory jurisdiction between the federal and state-local levels of government.

Each of these will be considered in order. Questions concerning patterns of ownership, including cross-ownership and multiple ownership, are under consideration in another proceeding and will be taken up separately.

TELEVISION BROADCAST SIGNAL CARRIAGE

Proposals and Alternatives

12. Within the frame described above, we turn to a consideration of the various proposals that have been advanced for settling the question of cable carriage of television broadcast signals.

[20] *Cable Television Proposals*, 31 FCC 2d 115 (1971), attached hereto as Appendix C.

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[20] *Cable Television Proposals*, 31 FCC 2d 115 (1971), attached hereto as Appendix C.

1966 Rules

13. Under the rules adopted in March, 1966, local broadcasters and the Commission had to be notified before any cable system could undertake to carry a television broadcast signal (Section 74.1105). A distant signal (that is, a signal carried beyond its Grade B contour) could not be carried into one of the 100 largest television markets without prior Commission authorization after evidentiary hearing (Section 74.1107). Carriage of local signals and carriage of distant signals in smaller markets could commence thirty days after notice, provided no objection had been filed (Section 74.1105(c)). If objected to, carriage could not be commenced until the Commission ruled on the merits of the objection (Sections 74.1105(c) and 74.1109). In every instance where the Commission was called on to judge whether a cable system should be permitted to carry distant or local signals, the test was the general public interest standard of the Communications Act, and more specifically the consistency of the carriage with "the establishment and healthy maintenance of television broadcast service in the area" (see Section 74.1107). The 100 largest television markets were singled out for special attention because it was felt that the potential for independent television station growth, particularly for UHF stations, was most favorable in those areas. Additionally, all local stations on request had to be carried by cable systems within the stations' Grade B service areas and, again on request, systems generally were not to duplicate the programming of a higher priority station by carrying the same programming from a lower priority station during the same 24-hour period (Section 74.1103). The priority of a station for purposes of obtaining program exclusivity was based on the strength of its signal in the area, with stations of higher signal strength having higher priority (Section 74.1103(a)).

1968 Commission Proposal

14. By December, 1968, the Commission concluded that its cable rules should be revised to establish general guidelines and procedures governing television broadcast signal carriage so as to eliminate the necessity for the burdensome evidentiary hearings required by the 1966 rules. Adjudicatory proceedings had come to be viewed as unduly complex, and the types of issues involved did not appear capable of satisfactory resolution in individual proceedings. What was clearly indicated was the necessity for fixed standards that would lend certainty to the process of signal carriage.

15. The 1968 rules, proposed to replace the evidentiary hearing requirement, contained the following basic provisions:

Retransmission Consent

(1) All restrictions would be eliminated on the carriage of distant signal programming for which cable systems had obtained "retransmission consent" on a program-by-program basis from the originating station.

Top 100 Markets

(2) Cable systems in communities within 35 miles of designated communities in the 100 largest television markets could carry no distant signal programming in the absence of retransmission consent.

Smaller Markets

(3) Cable systems within 35 miles of commercial television station communities not in the top 100 markets could carry, without obtaining retransmission consent, sufficient distant signals to provide their subscribers with the signals of stations affiliated with each of the three national television networks and the signal of one commercial independent station.

Beyond All Markets

(4) Cable systems in communities more than 35 miles from any commercial television station community could carry distant signals without restriction as to number.

Overlapping Top 100 Markets

(5) A cable system in a community within 35 miles of one top 100 market designated community could not, in the absence of retransmission consent, carry commercial programming from a station in another top 100 market designated community unless the cable community was also wholly within 35 miles of the second market.

Noncommercial Educational Stations

(6) No restrictions were placed on the carriage of noncommercial educational station signals. Prior to such carriage, however, notification to local noncommercial educational stations and educational authorities was to be required and those so notified would be afforded an opportunity to object to such carriage.

Leapfrogging

(7) In the absence of waiver for good cause, each distant signal carried had to be obtained from the closest station of the type sought or from the closest in-state station of that type.

Grandfathering

(8) Cable systems operating in compliance with existing rules on December 20, 1968 would be permitted to continue in operation even if inconsistent with the proposed rules.

Carriage and Program Exclusivity

(9) Existing rules concerning program exclusivity and mandatory carriage would remain essentially unchanged, except in overlapping top 100 market situations.

These rules were designed to achieve certain basic purposes: to insure at least a minimum of service in underserved areas, set limits to the im-

pact of cable distant signal carriage on over-the-air broadcasting, and eliminate certain elements of competitive unfairness resulting from the fact that cable systems are not required under existing copyright laws to pay for the television broadcast programming they pick up and distribute. Carriage of the closest stations of particular types was required because they were more likely to be attuned to the needs and interests of the cable community.

16. At the time these rules were proposed, interim procedures were adopted. Under these procedures all hearings under the 1966 rules were suspended, and action on requests for authorizations to carry signals was deferred pending the completion of the rule making proceeding, unless carriage of the signals requested was consistent with the proposed rules.

1970 Commission Proposal

17. In June, 1970, another alternative to govern the carriage of television broadcast signals was proposed and released for comment. Under this proposal, cable systems within 35 miles of the designated communities in the 100 largest television markets would be permitted to carry four channels of distant non-network television programming. Systems would be required to delete the advertising from these distant signals and insert advertising supplied by certain of the local stations. Preference in inserting commercials was to be based on a priority system, with those stations most threatened by cable competition receiving first priority. It was thought that by means of this proposal cable might be used affirmatively to promote the development of UHF stations.

18. Because of the commercial substitutions that would have been required in the distant signals carried, it was felt that the adoption of the proposal would have to dovetail with copyright legislation. While acknowledging that copyright was for Congress to resolve, a method of calculating the amount of compensation to which distant signal program owners would be entitled was included to show that the proposal could be designed to compensate program owners fully. As a further condition to carrying distant signals in this fashion, and affirmatively to support noncommercial broadcasting, cable systems would have been required to contribute five percent of their gross subscription revenues to public broadcasting.

19. Comments were also requested on other possible alternatives, such as an expansion of the existing program exclusivity rules to protect local independent stations from having their programming duplicated via cable-carried distant signals. Another alternative was a proposal for a system of direct payments by cable systems to local stations to make up revenues lost through the diversion of audience to distant stations. Other alternatives were received in comments filed and are discussed below along with the comments on the Commission's proposals.

Comments on Retransmission Consent Proposal

20. Section IV of our *Notice* in Docket 18397 concerned the importation of television signals by cable systems and contained our retrans-

mission consent proposal. Comments addressing this proposal focused on: the technical feasibility of the retransmission consent theory; the size of the specified zones around each market; the requirement that retransmission consent be obtained even for local (Grade B) signals when a cable system within the zone of one top 100 market carried local signals from an adjoining top 100 market; the make-up of the list of top 100 market designated communities; the requirement that, if a distant signal were to be carried, the closest in that class of stations be carried first (the leapfrogging rule); and the rules applying to the carriage of noncommercial educational stations.

21. *Comments by Broadcast Interests.* The National Association of Broadcasters (NAB), the Columbia Broadcasting System (CBS), the National Broadcasting Company (NBC), and broadcast interests generally, supported the retransmission theory, although certain changes in the specifics of the proposal were recommended.[21] NAB, for example, endorsed this approach "as a means to eliminate much of the unfair competition presently generated by distant signal importation." CBS supported the retransmission consent type of regulation only as an interim solution and indicated its belief that only Congress was capable of providing the comprehensive solution required. Some doubt was expressed as to the Commission's jurisdiction to create a regulatory framework of the type proposed. CBS stressed that its purpose was not to have stations insulated from competition but to ensure that competition be conducted fairly. Accordingly, it stated that there should be no restrictions on the carriage of distant signals into any market, but that no distant signal carriage should be permitted in the absence of retransmission consent or a congressionally enacted equivalent. Considerable doubt, however, was expressed as to how the proposal would operate in practice, because of the different market situations involved, the existing contractual and other relationships between program suppliers and broadcast stations, and the relative economic power of the cable, broadcast, and program supply interests. NBC felt the proposed regulations were well within the Commission's power, would eliminate the most undesirable elements of unfair competition, and should be the "keystone" of any regulatory provisions for cable systems. NBC would have had the requirements applied to all cable systems carrying distant signals, regardless of location, but suggested that cable systems, even without retransmission consent, should carry sufficient distant signals to provide their subscribers with at least one independent station's signal, one noncommercial educational signal, and one signal from a station affiliated with each of the major national networks. NBC visualized those stations that granted retransmission consent as acquiring rights from program suppliers to grant such retransmission consents and acting as small networks.[22] CBS, in

[21] These comments were filed during 1969, and it is recognized that the views of some of those commenting may have been changed by intervening events. During one panel discussion in 1971 the panelists, including cable, broadcast, and copyright owner representatives, were asked if they thought the retransmission consent concept was a valuable concept or had "any validity whatsoever as a practical matter." None of the panelists responded in support of the concept. Transcript Vol. 4, p. 715, March 18, 1971.

[22] It should also be noted that in an experiment with retransmission authorizations, consent was sought by a cable system to carry the local news program of a station. Because that program carried news films and other material supplied by the NBC News Program Service, the station referred the cable system to NBC to obtain consent. NBC refused,

contrast, thought that requiring distant stations to act as intermediaries between program suppliers and cable systems would be an "indirect and doubtfully effective" means of equalizing competition between cable systems and broadcast stations.

22. While the comments indicated general support for the retransmission consent proposal among the networks and broadcasters, some were opposed to it. The Association of Maximum Service Telecasters (AMST), for example, found the retransmission consent requirement to be ". . . simply irrelevant to the critical problem of adverse impact on local broadcasting." AMST pointed out that the proposed rules would permit cable systems to carry an unlimited number of distant and overlapping market signals in any television market irrespective of impact on local broadcasting service to the public. AMST considered distant signal carriage pursuant to retransmission consents ". . . undesirable for all the reasons that CATV originations are undesirable, and more." The possibility was foreseen that cable systems might acquire a sufficiently large economic base to outbid local stations for the rights to carry certain programs, thus siphoning off exclusive rights to programs that are now broadcast over the air. As did NBC, AMST saw the possibility that a few strong stations would acquire from program suppliers the right to grant retransmission consents which would then be given freely to cable systems that would become in effect small networks, greatly expanding their markets, upsetting competitive patterns in their own markets, and destroying over-the-air broadcast service in distant markets.

23. In addition to endorsing the retransmission consent theory of regulation generally, there was broadcast support (including some who did not support the retransmission idea) for the proposal to establish a fixed list of designated top 100 market communities and to use fixed mileage zones. However, certain additions to the designated city list were suggested and the 35-mile zones proposed were generally considered to be too small. Zones of 45, 60, 75 or 100 miles were suggested, in addition to use of Grade A contours and a proposal that a sliding scale be used, with smaller markets having larger zones. Also, certain changes in the list of designated top 100 market communities were suggested. AMST, for example, provided a list of all allocations within the Grade A contours of the designated market list that were not "clearly" part of some other television market. It suggested that because stations operating on these allocations would be overshadowed by stations in the already-designated communities, they would not be network affiliates and would face all the difficulties of stations operating in the designated cities. It was claimed that the rating services do not yet consider operating stations in these communities as part of the designated markets because viewing of these stations has not yet reached the required level. AMST would have had us include all of these communities in the designated market list.

24. *Cable Television Interests.* The cable parties filing comments were without exception opposed to the retransmission consent pro-

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stating ". . . we have concluded that because of the nature of the material transmitted, as well as the manner of its transmission, we should not enter into arrangements to authorize other than affiliates to carry this service." Letter of November 16, 1970, Ex. 6 to Top Vision's Sixth Report filed December 28, 1970, in CATV 100–113.

posal. The National Cable Television Association (NCTA) found the proposal completely unrealistic, arguing that consents could not be obtained on the required program-by-program basis and that by requiring program-by-program consent the Commission would simply be turning over control of the cable industry to broadcasters and program suppliers. Many of the cable parties felt that the Commission was usurping the power of the Congress in the copyright area, because the consent requirement would have operated as though a change had been made in the copyright laws. It was argued that even if retransmission consents were theoretically available they would be impossible as a practical matter to obtain because they are not under control of one owner or entity but are bound up with exclusivity contracts, labor and residual rights agreements, music licensing agreements, and ownership disputes between stations having rights to broadcast the programs in specific areas and parties from whom such rights were obtained. It was argued that, because of these complications and the number of programs and channels involved, the paperwork required would in itself defeat all but the largest cable systems. Last minute changes in programs and failures in negotiations would mean that cable systems, if they overcame other problems, would be presenting a crazy quilt of programs interspersed with blacked-out channels. It was contended that lack of choice as to incoming distant signal programming would preclude meaningful price negotiations, and uncertainties as to future program availabilities would inhibit investment in system construction.

25. *Retransmission Experiment.* In addition to the comments on retransmission consent, we have had a limited amount of experience with its operation. As part of the interim procedures of Docket 18397, we indicated that we would consider petitions for waiver of Section 74.1107 of the Rules for cable systems that would operate in accordance with the proposed retransmission consent requirement. Top Vision Cable Company, operator of a system in Owensboro, Kentucky, was granted authorization to carry programs from several distant stations for which it could obtain retransmission consent.[23] Top Vision has reported to the Commission every 60 days on its efforts to obtain retransmission consent.[24]

26. Top Vision's reports reveal a broad range of reactions to requests for retransmission consents. Some stations, two networks, a number of program owners, and music licensors refused consent, asserting that it would be inappropriate to give consents while the Commission was still considering whether carriage of distant signals was appropriate as a general policy matter; because others already had obtained exclusive rights to the programs for the Owensboro area; and, further, because uncertainties as to pending legislation, court decisions, and regulations made it inadvisable to grant consents. Some suppliers indicated that they were unable to grant consents to carriage of particular programs because the programs contained copyrighted musical compositions under the control of others. But consents were obtained

[23] Initial authorization was granted in *Top Vision Cable Co.*, 18 FCC 2d 1051 (1969).
[24] A second experiment was authorized, *Tri-Cities Cable TV, Inc.*, 22 FCC 2d 533 (1970), but was terminated before useful results were obtained. *Tri-Cities Cable TV, Inc.*, 27 FCC 2d 432 (1970).

to some programs without the payment of any fee or with the question of compensation deferred until the adoption of new legislation; other consents to some programming, including professional basketball games, were obtained in consideration for fees paid by Top Vision.

Comments on Commercial Substitution Proposals

27. Our proposal of June, 1970, insofar as it required the deletion and insertion of advertising on distant signals was, without exception, opposed by broadcast and copyright interests, and they were joined in this opposition by many cable parties. Objections went to the economic impact of distant signal carriage and the technical and economic feasibility of deletion and insertion procedures. Our proposal contemplated the possibility that distant stations might be required to insert electronic coding in their signal indicating the imminence and duration of commercials.[25] It was expected that automatic switching equipment at the headend of each cable system could then be programmed to perform the required advertising deletions and insertions. In the alternative, there was some thought that central switching centers in particular market areas might be created to perform the required switching operations simultaneously for all cable systems in the market. Many of the comments expressed the opinion that the complexity of performing these switching operations had been underestimated by the Commission.

28. *Comments by Broadcast Interests.* Storer Broadcasting Company's comments included an engineering statement discussing the substitution procedures that would be involved and the equipment, costs, and staff required. Storer posited a system where distant stations would transmit information, in coded form in the vertical blanking interval of their signal, as to upcoming advertising and its duration. This information would be decoded at the cable headend and relayed over telephone lines to the studio of the station inserting advertising. The local station would then transmit appropriate length advertisements via microwave to the cable headend for insertion on the channel of the distant signal in place of the advertising that would be deleted by the cable system. Equipment needed for this system, including a mini-computer, four video tape units, switching, decoding, and automatic logging equipment, and a one-hop, one-channel microwave system, was estimated to cost $143,500. Wage payments to operate the system would total $36,000 per year. This arrangement would supply one cable system with the advertising to be inserted on one channel. The cost of the equipment required by the distant station was not included. As another alternative, some cost savings would have been achieved by having the distant signal delivered directly to the local station's studio, where all insertions would be made and the signal microwaved to all cable systems in the market.

29. NAB judged the commercial substitution proposal to be confiscatory, technically and economically unworkable, and inconsistent

[25] A filing by International Digisonics Corporation indicated that the nation's largest purchasers of television advertising are now placing monitoring "codes" in their commercials, and such "codes" might be suitable for commercial switching rather than signals inserted by the originating stations.

with the realities of the marketplace. If each cable system performed the switching operations individually, each would need, it was alleged, 12 video tape units (for 10, 20, and 30 second commercials on each of four imported channels), plus switching equipment, at a cost of $140,000. If switching for all cable systems in the market were performed at a single switching center, a cost of $800,000 for this facility was assumed. An estimated additional $175,000 annually would be required to maintain and staff the center. The carriage of sporting events and other live broadcasts during which commercial messages are not pre-programmed would further complicate the operation of the substitution system and frustrate attempts to automate it. NAB concluded that, even if the system were technically workable, it would not provide sufficient additional advertising revenue to make it workable from an economic standpoint.

30. KOB–TV *et al.* regarded the proposal as "harebrained," "mind boggling," and a "Rube Goldberg device." In addition to the technical complexity and high cost of the required equipment, they rated the full cooperation of the distant stations, the local stations, and the cable system as essential, but saw little likelihood of its achievement. They reported that commercial time availabilities with audiences of only three to five thousand or even more "cannot be sold at any price", and anticipated that the cost of selling the time would very likely exceed the revenue received. Other broadcast comments were pessimistic about the technical and economic validity of the proposal and opposed to it as a matter of principle.

31. *Comments by Copyright Interests.* The program suppliers were opposed to any proposal that involved compulsory licenses, at least in the larger markets, and were, therefore, opposed to the commercial substitution proposal.

32. *Comments by Cable Television Interests.* In the cable television industry there was considerable diversity of opinion as to the proposal. The NCTA found it to be technically and economically feasible. The required deletions and insertions, it was believed, could be performed on three channels at a cost of $27,000 for equipment and $90,000 a year for operating expenses. These calculations were based on a system using closed circuit rather than standard broadcast equipment, no automatic signalling or switching, and no microwave expense. The cost, it was suggested, would be prohibitively expensive for cable systems and should be borne by the broadcasters receiving the benefits of the commercial insertions. Athena Communications Corporation *et al.* stated that "commercial substitutions may be feasible and can probably work with the total cooperation of all parties concerned." Other cable operators—for example, Midwest Video Corporation—regarded the proposal as unworkable and an aid neither to cable nor to independent UHF stations. Those cable interests who regarded it as workable generally emphasized that the costs should be borne by the benefiting stations.

33. *Commercial Substitution Experiment.* Bucks County Cable TV, operator of a cable system in Falls Township, Pennsylvania, was authorized to carry three commercial signals and one noncommercial

educational station from New York City on condition that it test and report on the technical feasibility of commercial substitution.[26] In this test the entire cost has been borne by the cable system with no assistance from either the distant stations carried or the local stations entitled to insert commercials. WPHL–TV, Philadelphia, authorized Bucks to record its commercials directly off the air and insert them in the distant signal channels. The commercials are inserted into the signals of the New York stations by means of a manual switching system that is dependent on the skill and efficiency of the persons operating the manual switches who are, in turn, dependent on visual and audio cues in the program material to indicate when the switching deleting the distant advertising and inserting local advertising should be thrown. Bucks judges that more than 90 percent of the insertions have been made perfectly and that "a manual switching system of commercial substitutions is feasible."

Comments on Five Percent Payment to Public Broadcasting

34. As part of the commercial substitution plan, it was also proposed that cable systems be required to use a portion (five percent) of their subscriber revenues to support public broadcasting. This payment was to be made by all cable systems without regard to whether they carried programming from noncommercial educational stations. The Corporation for Public Broadcasting, as a potential beneficiary of this proposal, supported it but suggested that the funds should be separately managed and used for purposes specifically benefiting subscribers to cable systems—such as the acquisition of hardware and the production of programming. An alternative to this proposal was suggested by the Suffolk County Organization for the Promotion of Education. Under this alternative, half of the five percent would be used to support cable-distributed instructional television programming and would be distributed through the U.S. Office of Education to state education departments. School districts, institutions of higher learning, or non-public schools would then apply for the funds to produce, procure, and transmit educational, instructional, or school-community type programming. Many letters supporting this proposal were received from persons either engaged in instructional television activities or who believed that an expansion of instructional television would aid in the educational process. Cable parties generally questioned whether the Commission had the authority to enact regulations that would require cable systems to support public broadcasting. They pointed out that it was not the Commission's duty to provide financing for the public broadcasting system, that there were other methods of providing for financing, and that the requirement was discriminatory. Broadcasters generally were in agreement with the cable operators that the requirement would be beyond the jurisdiction of the Commission and should not be undertaken without legislation.

[26] *Bucks County Cable TV, Inc.*, 27 FCC 2d 178 (1971); *recon. denied*, 28 FCC 2d 4 (1971).

Comments on Leapfrogging Rule

35. In our *Notice* of December, 1968, we proposed generally that a cable system carrying a distant signal or signals would be required to carry the closest station of each type (ABC, NBC, or CBS network, partial network, independent, or noncommercial education). In certain instances, the closest station of a type from within a state could be carried even if there were a closer station of the same type in another state. Provision was made for obtaining a waiver of this rule on a showing of good cause, such as a cable community's having a greater community of interest with the community of a more distant station. In our proposal of June, 1970, some additional flexibility was permitted, with two of the four distant signals that we proposed to permit in the major markets having no restriction as to origin and two having to come from within the same state as the system.

36. The comments on this question were generally divided between broadcast and cable interests, with the former strongly supporting the rule and the latter either opposing it or supporting it with qualifications. Those in favor of a strict anti-leapfrogging rule stressed that such a rule would support our allocations policy, avoid undue concentrations of control in major market independent VHF stations, lead to carriage of stations more attuned to the needs and interests of the cable community, and result in the carriage of stations with less audience appeal, giving them the benefits of extra circulation and resulting in less audience diversion in the markets into which they were carried. Those opposing adoption of such a requirement felt that cable subscribers should be entitled to the best stations available without regard to place of origin, that concern over concentration of control could be discounted in light of the control of the existing networks from New York and Los Angeles, that community of interest considerations might dictate carriage of more distant stations, and that frequently the choice is not between closer and more distant stations but between no additional stations and those available over existing microwave facilities. Western Microwave, Inc., argued that there were special problems that should be considered in areas of the sparsely populated West where additional service could only be obtained from a considerable distance. In these areas, without regard to which signals were carried, it was said to be necessary that all cable systems carry the same signals so that microwave costs might be shared. While many cable parties accepted the theory of such a rule, they pointed out the desirability of retaining sufficient flexibility to permit the carriage of more distant stations from communities with a greater community of interest, and of signals available on existing microwave routes when the construction cost of new microwave facilities to carry closer signals would not be economically feasible.

Comments on the Proposed Codification of Overlapping Market Rule

37. Our general policy has been to require that cable systems carry all Grade B signals (Section 74.1103). A possible exception to this

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rule was created in footnote 69 of the *Second Report and Order in Docket 15971* [27] which suggested that in certain circumstances Grade B signals from one major market might be considered as distant signals for cable carriage in the vicinity of another major market. In Docket 18397 fixed rules were proposed to govern the carriage of overlapping major market signals. Under this proposal a cable system in a community within 35 miles of one major market could not, in the absence of retransmission consent, carry commercial television signals from another major market unless the cable community were also within 35 miles of the latter market.

38. Program suppliers and broadcasters, with a number of specific exceptions discussed below, supported the proposed rule. They urged that, because signals from one major market are generally not viewed in adjoining major markets, they should be treated as distant signals even in areas where predicted Grade B service is available. It was argued that cable carriage would alter existing viewing patterns and have the adverse consequences attributed to distant signal carriage. A chart filed by AMST indicated that these situations are in fact common, with the central cities of 72 of the top 100 television markets receiving some predicted Grade B service from other top 100 markets.

39. In contrast to this general support for the proposed rule, some specific cases were brought to our attention in which it was said that the zones proposed would cut broadcasters out of their normal markets. Camellia City Telecasters, Inc., licensee of KTXL–TV, Sacramento, California, and Kelly Broadcasting Co., licensee of KCRA–TV, Sacramento, pointed out that portions of Contra Costa and Solano counties, which audience surveys show to be in the Sacramento-Stockton market and which are on "their" side of the mountains, are beyond their 35-mile zones and in the zone of San Francisco. They asked that any rules adopted be flexible with respect to their particular situations. Bay Broadcasting Company, licensee of television station KUDO, San Francisco, similarly requested that the overlapping market rule not be used to bar carriage of its signal on cable systems in San Jose. It pointed out that San Jose, while 40 miles from the center of San Francisco, is within the Principal Community contours of KUDO and other San Francisco stations. A filing on behalf of eleven television stations (KCST *et al.*) included audience survey information indicating extensive viewing of out-of-market stations in several overlapping markets. New York City stations, for example, were shown as having a 43.7 percent share of audience in New Haven, and Boston stations were shown as having a 21.5 percent share in Providence.

40. In the oral presentations, a possible remedy for situations where there is actual viewing of out-of-market stations was suggested on behalf of U.S. Communications Corporation, owner of several major market independent UHF television stations. In order that cable subscribers have available at least the signals that are actually viewed off the air, the Commission was urged to adopt a rule permitting cable carriage whenever there is "significant" off-the-air viewing of an

[27] 2 FCC 2d 725 (1966).

overlapping market signal. Dr. Leland Johnson of the Rand Corporation suggested a similar approach and specifically that an overlapping market signal might be considered a local signal if 15 percent of the homes in the area watched the signal in question during an average day. AMST suggested there might be certain instances that lent themselves to *ad hoc* treatment, citing the Manchester, New Hampshire television market where more than 50 percent of viewing is of Boston stations.

41. Cable interests strongly opposed the adoption of any rule or the continuation of any policy barring the carriage of Grade B signals. It was their contention that any signal ordinarily receivable off the air should also be available to cable subscribers and that a contrary rule would restrict carriage of signals that are not only receivable but are in fact viewed. At a minimum, it was argued, cable subscribers should have access to what is available off the air. Prohibitions against carriage of out-of-market signals were said not only to discriminate against cable subscribers but to make it impossible to market cable service because the subscriber would be in the position of paying more to get less.

42. The proposed rule was also said to conflict with already established policy. Our decision in *Shen-Heights TV Association et al.*[28] was cited as indicating the nature of this conflict. In that decision, it was held that a broadcast station "has a responsibility of serving as an outlet for its entire service area" and that, as a counterpart to this obligation, cable systems within the predicted Grade B contour of a station "must observe the carriage and nonduplication requirements of our rules even though a viewable off-the-air picture is not available in any part of the CATV community." From this, and similar language in other decisions, it was argued that our proposed rule was in fundamental conflict with other policy decisions already made. Broadcast stations, for example, are intended and in fact required to serve the whole area within their Grade B contours.

Comments on the Carriage of Noncommercial Educational Television Stations

43. Our proposal to permit unrestricted carriage of noncommercial educational television stations in the absence of objection by local educational stations or local or state educational authorities was generally supported. The Joint Council on Educational Telecommunications, Nebraska Educational Television Commission *et al.*, Eastern Educational Network, and the National Association of Educational Broadcasters objected to the proposal to the extent that it would force educational stations to become involved in hearings and other burdensome proceedings. They believed it discriminated against educational stations by forcing them to make specific objections to distant signal carriage, whereas commercial television station carriage would be regulated without such a requirement.

[28] 11 FCC 2d 814 (1968).

Additional Alternatives Proposed

44. Our *Notice* of June, 1970, in addition to containing the commercial substitution proposal, solicited comments on other alternatives and suggested as possibilities expanded program exclusivity and direct subsidization of UHF television by cable systems.

45. *Direct Compensation for Audience Diversion.* Dr. Leland Johnson, in a report entitled "Cable Television and the Question of Protecting Local Broadcasting" prepared under a Markle Foundation grant, raised the possibility that UHF stations suffering audience diversion from cable should receive direct compensation from the cable systems in question. While Dr. Johnson did not believe broadcast stations in the larger markets would be harmed substantially by cable systems carrying four distant signals, it was his view that audience diversion resulting from such carriage could be ascertained through audience surveys and the revenue losses to UHF stations made up by direct payments. Payments could be made to all stations in the market, to those below a stated level of profitability, or to all stations on a sliding scale related to station profitability.

46. John J. McGowan, Roger G. Noll, and Merton J. Peck, as part of a Brookings Institution study financed by the Ford Foundation, also suggested the adoption of a form of direct compensation. They suggested that all cable systems be required to make payments into a UHF development fund. The amount to be paid would be that amount sufficient to make up the deficit of all existing UHF independent stations. This fund would be distributed according to the following rules:

(i) Only unprofitable stations would be eligible and only to the extent of their deficit.

(ii) Payments would be related to the number of hours of programming devoted to first-run syndications or local live programs in order to encourage the development of new programming.

(iii) Eligibility would be limited to existing UHF independents or to one UHF independent in each market.

47. American Cable Television *et al.* suggested the elimination of the proposed five percent levy for public broadcasting and the establishment of a five percent of gross revenues impact fund to compensate both commercial and educational stations for loss of revenue resulting from cable competition. Allen's TV Cable Service *et al.* suggested the creation of impact pools made up of two to three percent of the gross revenues of VHF stations and cable systems. UHF stations suffering economic impact from either cable or VHF would receive compensation from the respective impact pool. Others (both broadcasters and cable operators) were opposed to direct compensation on the ground that it is beyond the Commission's jurisdiction, would inhibit competition between the cable and broadcast industries, and would destroy the incentive of local stations to improve the quality of their programming.

48. *Extended Nonnetwork Program Exclusivity.* Midwest Video Corporation, a cable operator, suggested that the Commission adopt proposals that would implement the approach exemplified by Section

111 of the copyright legislation pending in Congress.[29] The provisions of Section 111, which are described here in simplified form, would subject all cable systems to copyright liability provided, however, that systems would have a compulsory license at a fixed fee to carry all local signals (including those from overlapping markets) and sufficient distant signals to provide a statutorily-defined adequate service minimum. In the top 50 markets, adequate service is defined in the bill as carriage of signals from each of the three national networks, three independent signals, and one noncommercial educational signal. In markets 51 and below, adequate service is defined as signals from each of the national networks, two independents, and one noncommercial educational. If distant signals were carried to make up the adequate service complement, local stations would be entitled to protection for their nonnetwork programming. A provision was also included to restrict the carriage of live professional sports programs on distant signals.

49. Kaiser Broadcasting suggested a variation whereby cable systems in all markets could carry sufficient local and distant signals to provide their subscribers with at least three network signals, three independent signals, and one noncommercial educational signal. Full "run-of-contract" exclusivity would be afforded the non-network programming of Grade A stations against Grade B stations and of Grade B stations against distant stations, carriage of all Grade B signals would be permitted, a compulsory copyright license would be provided for these signals, carriage of the closest distant signals of each type would be required, and professional sports blackouts would be protected. Westinghouse Broadcasting Company suggested another variation. It would permit carriage of local and distant signals sufficient to provide at least service from the national networks, one noncommercial educational station, and three channels of non-network programming. If this combination were already provided by signals from within the market, no distant signals or Grade B signals from other markets could be carried. If a local station were activated after the cable system had commenced operation, its signals would be substituted for a distant signal but only after a seven-year amortization period. The leapfrogging rules would be discarded and cable systems permitted to obtain authorized service from any station within 350 miles. No exclusivity of any type would be recognized beyond 35 miles of a station, but within that zone a station would be entitled to nonduplication protection for any programming it had contracted to broadcast. However, in order to avoid the shelving of programming, this exclusivity would apply only if the program were scheduled for broadcast within two years of purchase or, in the case of a series-type program, if telecast within one year. Compulsory copyright license legislation would be expected to accompany these regulations.

50. In connection with these proposals, a study by Harbridge House, Inc., attempted to calculate the loss of revenues to program producers resulting from the loss of first-run exclusivity. The study assumed, as the best estimate available, that loss of exclusivity reduces the value

[29] Section 111 is the CATV section of the Omnibus Copyright Revision Bill that was reported to the Senate Judiciary Committee by the Subcommittee on Patents, Trademarks and Copyrights in December, 1969. The bill was introduced in the 91st Congress, First Session, as S. 543, and reintroduced in the 92nd Congress, First Session, as S. 644.

of a first-run feature film by 40 percent and even more in the case of series programs.

51. *Professional Sports Exclusivity.* A number of comments received from professional sports interests, including the Commissioner of Baseball, the National Football League, and the American Hockey League, requested that exclusivity rules be adopted to bar cable carriage of professional sports programming on distant signals. Their concern was primarily that carriage of such programming, especially into a blacked-out area, would decrease the gate attendance at professional sporting events. The Commissioner of Baseball first proposed a rule that would have precluded carriage of the signal of a distant station broadcasting a baseball game by a cable system within 50 miles of a community to which a professional baseball club was franchised (when a home game was being played), unless consent had been obtained from the distant station and from the league of the baseball club being protected. Later, a broader rule was suggested that would preclude the carriage of any live organized professional team sporting event on a distant signal unless the cable system obtained the consent of the originating station and of the team that authorized the telecast. In addition, no live professional sporting event could be carried on a local signal if that signal were carried more than 35 miles from the community of the originating station to within 35 miles of a television station community in another market. It was suggested that the Commission use as its model Section 111(a)(4)(c) of the proposed copyright revision bill. The American Hockey League and the National Football League supported this position. As an authority for the Commission's jurisdiction to adopt such restrictions Public Law 87–331 was cited.[30] This law provides some professional sports teams with a limited exemption from the provisions of the antitrust laws in order that they may make agreements designed to protect home game attendance. It confers no authority on the Commission but does indicate some public policy support for protecting the gate of professional sports teams.

52. *Allocations or Market-Tailored Approach.* General Electric suggested that distant signal carriage might be regulated according to an allocations plan similar to that of FM radio and television facilities, but based on economic rather than interference considerations. Markets would be classified according to existing stations, allocations, populations, available revenues, etc., and judgments made as to the measure of distant signal carriage that should be permitted for each class of market. Under this proposal, it would be possible for areas not separately capable of supporting independent stations to be added together through cable carriage, so that these areas in the aggregate could support independent television service. General Electric was particularly concerned that, because of the rapidly changing nature of the industry, the Commission not attempt to define regulations that would permanently shape cable's evolution and represent the ultimate solution to all of its problems.

53. *Justice Department Proposal.* The United States Department of Justice was critical of our cable regulations and proposals as being

[30] 15 U.S.C. Sections 1291–1295.

unnecessarily protective of the broadcast industry. It recommended that the Commission attempt to assure only a minimum of continued over-the-air service "consisting of one, two or perhaps even three stations." Beyond that minimum, there should be no restrictions on distant signal carriage, and copyright questions should be left entirely for Congressional resolution. Cable systems, it was asserted, should be left to compete with broadcasters in the marketplace, and the market place should decide how many and what kind of facilities survive. Donald I. Baker, Deputy Director of Policy Planning for the Department, expressed the Justice position during the panel hearing as follows:

> . . . our position is basically that the Commission is invited to embark on an elaborate scheme of social engineering, of handicapping here, subsidizing there and so forth. We think that is an inappropriate role. This may have been a role that has been thrust on the Commission by the shortage of broadcasting spectrum in dealing with over-the-air broadcasting. It is not a necessary role with the abundance of cable.
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> . . . [B]asically the Commission should allow the people in the marketplace who want it or don't want it, who will pay or will not pay, to make the choice.

54. *Copyright Approach.* The comments of the program suppliers (MCA, Inc., and Allied Artists Pictures Corporation *et al.*) indicated their belief in the crucial importance of full copyright liability for cable in the top 50 television markets. As a compromise solution for smaller markets, they suggested that cable systems be permitted to carry (on a compulsory license basis) sufficient local and distant signals to provide subscribers with signals from stations of the three national networks, one independent station, and one noncommercial educational station. In areas outside all markets and for local signals, a compulsory copyright license would be provided for all signals carried. In all markets where distant signals are imported, local stations would have their exclusive rights to feature films protected for three years, and series protection for four years. No distant signal programming could be imported unless the copyright owner had two years from the first non-network showing to negotiate an exclusive sale in the market. Compulsory license fees would be established. Existing systems would be grandfathered to 150 percent of their subscribers as of a base date, and systems with fewer than 1,500 subscribers would be exempt unless affiliated with a multiple owner having more than 10,000 subscribers. Adoption of this proposal would require action by the Commission and the Congress.

55. *Elimination of Exclusivity in the Sale of Television Programming.* Leonard M. Ross of Harvard Law School made the point during our panel discussions that, while full copyright liability for distant signal programming "at first blush" appears to be fair, experience has shown that long-term exclusive sales of programming provide a substantial barrier to market entry—that is, a cable system attempting to purchase programming on a full copyright basis would find that the most desirable programming had already been sold on a long-term basis to broadcast stations in the area. Two approaches to limiting this

barrier were suggested: the adoption of some type of compulsory license system or elimination or limitation on exclusive program sales.[31]

56. *NCTA Proposal.* NCTA, during the panel discussions, proposed the following package:

carriage of all Grade B signals;
carriage of four distant independents, two from within state if possible;
carriage of noncommercial educational stations in the absence of objection;
preservation of professional sports team blackouts consistent with Public Law 87–331;
nondiscriminatory first-come, first-served access to unreserved cable channels;
first run exclusivity provided to local independent UHF stations;
a failing-station doctrine under which special relief would be granted stations demonstrating inability to provide minimal service as the result of cable competition;
existing systems grandfathered in their operating territories; and
payment of reasonable copyright fees on a compulsory license basis to be decided by Congress.

Resolution of Issues Concerning Television Broadcast Signal Carriage

57. The carriage of distant television broadcast signals by cable television systems has been center stage in the continuing controversy before the Commission, the Congress, and the Courts. The industries involved have variously argued—the cable industry, that cable technology will bring extra programming and other services to the public, both on distant signals and on locally originated channels; the broadcast industry, that distant signal importation will lead to smaller audiences and reduced revenues and thus threaten the existence of some broadcast stations or inhibit their ability to produce local public service programs; the television programming industry, that suppliers of programming should receive compensation for the use of their product by cable systems and that the exclusive sales of such programs in particular markets should be honored.

58. In resolving these issues, our basic objective is to get cable moving so that the public may receive its benefits, and to do so without jeopardizing the basic structure of over-the-air television.[32] We also desire to put to rest the problem of exclusivity protection for programs imported from distant cities by cable television systems and to open the way for resolution of the long-standing dispute over copyright payments. To achieve these goals, we have considered a number of alternative courses of action. Our existing rules, which require individual consideration of all distant signal carriage proposals for the

[31] These views were expressed in greater detail in Chazen and Ross, "Federal Regulation of Cable Television: The Visible Hand," 83 Harv. L. Rev. 1820, 1839 (1969).

[32] We have previously set out the reasons why the public interest is served by preserving a healthy broadcast service. See *Second Report and Order in Docket 15971, supra* note 27; see also *U.S.* v. *Southwestern Cable Co.*, 392 U.S. 157 (1968). It is sufficient to restate that we are guided by the standard of what will best serve the public interest and not by a desire to protect any industry from the impact of new technology.

top 100 television markets and of special relief requests in other markets, are unsuitable for reasons detailed in the *Notice* in Docket 18397. The adjudications required in these cases have involved policy matters beyond the scope of the individual disputes. The procedures available for the settlement of these disputes have proved burdensome and have not furnished a dependable basis for regulation. The comments filed, almost without exception, support us in this decision.

59. We are also rejecting the retransmission consent proposal of Docket 18397. Experience has indicated that it simply will not achieve our basic objectives. Nor does the commercial substitution proposal of Docket 18397–A provide the answer. While the Bucks County Cable TV experiment (para. 33, *supra*) suggests that many of the technical objections to the proposal have been exaggerated, the prospect is not promising because of the necessity for close cooperation of all the parties—and such cooperation, as the comments indicate, is highly unlikely. We believe it imperative that our new approach above all be a pragmatic one, and have fashioned a program that melds techniques with which we have had experience—exclusivity and a limitation on the number of distant signals to be imported.

60. The approach we are adopting is to extend existing exclusivity rules so that they cover non-network as well as network programming, and to restrict the number of distant signals that a system may carry based on the size of the market in which it is located and the estimated ability of that market to absorb additional competition. In so regulating distant signal carriage, we hope to give cable impetus to develop in the larger markets without creating an unacceptable risk of adverse impact on local television broadcast service. At the same time, these limits should serve to create an incentive for the development of those nonbroadcast services that represent the long term promise of cable television and are critical to the public interest judgment we have made.

The Consensus Agreement

61. In the course of developing a regulatory program, and because of Congressional concern over these important matters, the Commission in its Letter of August 5, 1971 outlined to Congress the rules on which there was Commission agreement.[33] We noted there (p. 2) the recent efforts of the principal industries to reach agreement on the major issues at controversy and expressed the hope that these efforts would be successful. Following the Letter's release, intensive efforts were made to achieve a consensus, and agreement has now been reached. Because this consensus agreement is of particular significance to our deliberations, it is set out in full in Appendix D. The Office of Telecommunications Policy provided valuable assistance in the negotiations that led to this agreement.

62. The agreement does not alter in any respect the access, technical standards, or federal-state/local aspects of the August 5 Letter. It deals solely with Part I of the Letter—television broadcast signal carriage. It proposes three modifications, as follows:

[33] See full text, Appendix C.

(i) *Exclusivity.* For syndicated programming, the agreement provides for extensive exclusivity in the top 50 markets, and more limited exclusivity in markets 51–100. For network programming, it substitutes simultaneous for same-day protection.

(ii) *Local signals.* The agreement changes the significant viewing standard applied to out-of-market independent stations in overlapping market situations from a one percent share of viewing hours to a two percent share; it does not alter the standard applied to network affiliates.

(iii) *Leapfrogging.* The agreement retains a UHF priority where a third distant signal is carried but changes the requirements for the first two signals. There is no restriction on these signals as to point of origin, except that if either is taken from any of the top 25 markets it must be from one of the two closest such markets. In the August 5 Letter these signals were, in effect, channels of independent programming (conceivably a blend of several distant stations); now they are restricted to specified distant stations except during exclusivity protection periods.

63. The principal addition the agreement would make to the program we outlined in August is the provision of exclusivity for syndicated programming. In the August Letter, we stated that "we intend to study whether present or future considerations call for altering our existing CATV program exclusivity rule (Section 74.1103), which in effect protects only the network programming of network affiliates." Clearly, even before the agreement was reached, the Commission recognized the need for considering action to protect syndicated programming.[34] Now a consensus has been hammered out by the principal industries themselves and they have agreed to support legislation that resolves the remaining aspect of the copyright issue, that of copyright payments.

64. The provisions of the agreement would add exclusivity protection for syndicated programming—a matter that was in any event under study—and would work two changes in our earlier proposal. The changes in the viewing standard and in leapfrogging restrictions are consistent with our long-range goals for cable and represent merely variations on a theme. Adoption of the agreement does not mean that we would, absent agreement, have opted in its precise terms for the changes it contemplates. But their incorporation into our new rules for cable does not disturb the basic structure of our August 5 plan. And if, as we judge, the terms are within reasonable limits and the agreement is of public benefit, then it should be implemented in its entirety.

65. We believe that adoption of the consensus agreement will markedly serve the public interest:

(i) First, the agreement will facilitate the passage of cable copyright legislation. It is essential that cable be brought within the tele-

[34] The subject of exclusivity for syndicated programming was raised in our Notices in Dockets 18397 and 18397–A, and numerous comments were received. Many of the suggestions received in the comments are now, in fact, being incorporated into the Commission's regulatory program. Exclusivity is a complex, dynamic subject that is most appropriately a matter for agency regulation. This is in accord with our view concerning S. 543 (Omnibus Copyright Revision Bill) where we urged that a revised copyright law leave detailed regulation of cable television signal carriage to administrative control. Letter of March 11, 1970 to Senator Warren G. Magnuson.

vision programming distribution market. There have been several attempts to do so, but all have foundered on the opposition of one or more of the three industries involved. It is for this reason that Congress and the Commission have long urged the parties to compromise their differences.

(ii) Passage of copyright legislation will in turn erase an uncertainty that now impairs cable's ability to attract the capital investment needed for substantial growth. The development of the industry, at least with respect to assessing copyright costs, would be settled by the new copyright legislation and its future no longer tied to the outcome of pending litigation.[35]

(iii) Finally, the enactment of cable copyright legislation by Congress—with the Commission's program before it—would in effect reaffirm the Commission's jurisdiction to carry out that program, including such important features as access to television facilities. It is important to emphasize that for full effectiveness the consensus agreement requires Congressional approval, not just that of the Commission. The rule will, of course, be put into effect promptly. Without Congressional validation, however, we would have to re-examine some aspects of the program. Congress, we believe, will share our conclusion—that implementation of the agreement clearly serves the public interest. (See exchange of letters between Chairman Burch and Senator McClellan attached as Appendix E.)

66. There remains the question of the effect of the consensus agreement on the Commission's flexibility to shape cable's evolution. Our judgment is, to repeat, that the agreement serves the public and should thus be reflected in the rules here adopted. The legislation that we believe must follow will limit the number of distant signals to which compulsory copyright licenses apply to those specified in Sections 76.59, 76.61, and 76.63 of the Rules. In all other respects—for example, the details of network and syndicated programming exclusivity protection, leapfrogging, the significant viewing standard, the defintion of signals that must be carried—the Commission retains full freedom and, indeed, the responsibility to act as future developments warrant. We reiterate that we are affording cable the minimum number of distant signals necessary to promote its entry into some of the major television markets but that, ultimately, its success will depend on the provision of innovative nonbroadcast services. This is not to say that such matters as signal carriage, exclusivity, and leapfrogging are insignificant. These rules represent our best judgment as to broad policies that should govern cable's evoluton. The Commission has no intention of setting out detailed regulations today, only to rewrite them tomorrow. But, as we gain experience and insight, we retain the flexibility to act accordingly—to make revisions, major or minor—and to keep pace with the future of this dynamic area of communications technology.

[35] Under the decision in *Fortnightly Corporation* v. *United Artists*, 392 U.S. 390 (1968), cable systems do not now make payment for broadcast programming. But the case of *C.B.S.* v. *TelePrompTer*, now pending in the federal district court of the Southern District of New York (64 Civil 3814) would test the limits of the *Fortnightly* decision. Assuming that Congress confirms the concensus agreement with the passage of copyright legislation, a decision in *TelePrompTer* could be significant, we believe, only with respect to past liability.

67. We have considered whether we should issue a further notice to solicit comment on the consensus agreement or turn to some other additional public proceeding. But we have concluded that it would serve little purpose to do so. It is not necessary to have further argument, for example, on which leapfrogging standard should be used. We are in position now to make that judgment. Indeed, all parties have had full opportunity to comment on this and all other matters covered by the agreement (e.g., exclusivity, significant viewing standard, overlapping markets). The decisive consideration is whether the public interest will be served by incorporating the consensus agreement in its entirety. And we have concluded that it clearly serves the public interest to do so. For more than three years we have been gathering data, soliciting views, hearing argument, evaluating studies, examining alternatives, authorizing experiments—turning finally to public panel discussions unique in communications rule making—and, in this effort, have necessarily delayed the substantial benefits of cable to the public. If it would serve some overriding national purpose, we would turn to further process even in the face of more delay. But it does not. It is time to act.

Impact Considerations

68. Before proceeding to the specific provisions of the rules, some discussion would be useful on the judgments we have made as to: (a) the amount of distant signal competition that can be introduced into particular types of markets without having adverse impact on local television service, and (b) the effect of distant signal carriage on the supply of television programming. The answers rest in the complex economics of, and interrelationships between, the three industries involved as well as on expectations of future developments in the industries and in the economy generally.

69. With respect to the question of impact of distant signal carriage on local television broadcast service, a number of studies were undertaken to test our proposals in Docket 18397–A. These proposals would have permitted carriage of four distant independent signals in each of the top 100 markets. A study was undertaken by the Commission's staff, several studies were produced by the Rand Corporation under grants from the Ford and Markle Foundations, and studies and critical appraisals of the staff and Rand reports were submitted by various broadcast interests. In all of these it was assumed that four distant signals, including among them the strongest independents in the country, would be carried. There was no consensus as to the range of likely impact. The Rand studies concluded generally that carriage of four distant signals would not have significant adverse impact on local television broadcast service and that, in the short run at least, increased cable penetration would have a beneficial effect on local UHF stations because cable carriage eliminates the technical edge of VHF over UHF. The broadcast studies pointed out a number of alleged defects in the Commission staff and Rand studies and concluded that carriage of four distant signals as proposed would have a seriously detrimental impact on local broadcast service. The Commission staff study was somewhat less optimistic than the Rand studies but less pessimistic than those of the broadcasters.

70. The conflicting conclusions of these studies make abundantly clear the difficulties involved in attempting to predict the future where there are so many variables and unknowns. While the reports and studies have been useful in illuminating the various elements of our policy decision, we cannot rely on any particular report or study as a sure barometer of the future. We would simply point out there is no consensus, and we do not pretend that we can now forecast precisely how cable will evolve in major markets. There is inherent uncertainty. But this does not mean that we should stand still and block all possibility of new and diverse communications benefits. Rather, it means that we should act in a conservative, pragmatic fashion—in the sense of maintaining the present system and adding to it in a significant way, taking a sound and realistic first step and the evaluating our experience. That is the approach we have taken. We have authorized not four distant signals, as proposed, but a more limited number (particularly in the smaller markets), and provided the added protection of non-network program exclusivity (particularly in the larger markets where independent stations generally operate).

71. Based on our experience and on our study of the comments, we do not believe that this approach will have impact adverse to the public interest. On the contrary, it is our judgment that it would be wholly wrong to halt cable development on the basis of conjecture, for example, as to its impact on UHF stations. We believe the improvements that cable will make in clearer UHF pictures and wider UHF coverage will offset the inroads on UHF audiences made by the limited number of distant signals that our rules would permit. As to similar arguments concerning cable's impact on VHF in the smaller markets, it is our judgment—considering such factors as cable's rate of penetration and the growth of broadcast revenues—that our approach will not undermine these stations in their ability to serve the public. As with any general policy, there may well be exceptional cases—as to a particular market or, more likely, a particular station in that market. In such an event, we would be prepared to take appropriate action under the special relief provisions of the rules (Section 76.7).

72. The viewing patterns in cable and non-cable homes will soon become apparent and serve as a measure of cable's possible impact on local broadcast service. We intend to obtain continuing reports from representative communities, and broadcasters will be free to submit such reports at any time. If these reports and the financial data from operating stations were to show the need for remedial action, we could and would act promptly. The range of possibilities here is broad. More extensive non-network programming protection might be afforded to affected stations in markets below the top 50. Or, we might consider halting cable's growth with distant signals at discrete areas within the community—something we have done on occasion in the past.

73. The additional program exclusivity rules are designed both to protect local broadcasters and to insure the continued supply of television programming. The latter, of course, is fundamental to the continued functioning of broadcast and cable television alike. As with the basic signal carriage rules, the types of exclusivity incorporated into

the rules vary according to market size: the most extensive protection is in the top 50 markets from which the bulk of program supplier revenue is derived and where these restrictions are consequently most needed to insure the continued health of the television programming industry.[36] This protection will also assist independent stations (including many UHF's) that are very largely concentrated in these markets. In markets 51–100 the rules afford additional, although limited, protection to local broadcasters. It has been necessary to find a middle ground: the stations are very largely network affiliated, and generally only two distant signals will be permitted; but these markets are mostly underserved, lacking independent stations, and thus there is a particular need for cable. No syndicated programming exclusivity is added in markets below 100 because the number of distant signals is very strictly limited under the rules. That limitation along with network programming protection is, we believe, adequate to preserve local service, and no additional impediment should be placed on cable operations in these underserved markets.

Signal Carriage Rules

74. The following chart will give an overview of signals that will be permitted:

GENERAL OUTLINE OF THE RULES PERTAINING TO BROADCAST SIGNAL CARRIAGE

The television signal carriage rules divide all signals into three classifications:

First, signals that a cable system, upon request of the appropriate station, must carry.

Second, signals that, taking television market size into account, a cable system may carry.

Third, signals that some systems may carry in addition to those required or permitted in the two above categories.

These three classifications of signals are used in various market situations as outlined below:

CABLE SYSTEMS LOCATED OUTSIDE ALL TELEVISION MARKETS

First. **The following signals are required, upon request, to be carried:**

(1) All Grade B signals.

(2) All translator stations in the cable community with 100 watts or higher power.

(3) All educational television stations within 35 miles.

(4) Television stations significantly viewed in the cable community.

Second. **The cable television system may carry any other additional signals.**

CABLE SYSTEMS LOCATED IN SMALLER TELEVISION MARKETS

First. **The following signals are required, upon request, to be carried:**

(1) All market signals (those within 35 miles and those located in other communities that are generally considered part of the same market).[37]

(2) Grade B signals of educational television stations.

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[36] Our concern here with the continued supply of television programming has a counterpart in the prime time network access rules. See *Network Television Broadcasting*, 23 FCC 2d 382 (1970), *aff'd*, *Mt. Mansfield Television, Inc.* v. *FCC*, 492 F. 2d 470 (2d Cir. 1971).

[37] National audience rating services, e.g., ARB and Nielsen, recognize differing communities as being in the same market (hyphenated markets). These characterizations may be relied on for smaller markets; our new rules, however, designate specifically the hyphenated major markets.

(3) Grade B signals from stations in other smaller markets.
(4) All translator stations in the cable community with 100 watts or higher power.
(5) Television stations significantly viewed in the cable community.

Second. A cable system may carry additional signals so that, including the signals required to be carried under the First priority, the following total may be provided.

(1) Three full network stations (subject to leapfrogging restrictions).
(2) One independent station (subject to leapfrogging restrictions).

Third. Generally, the cable system may carry additional educational stations and one or more stations programmed in non-English languages.

CABLE SYSTEMS LOCATED IN THE FIRST FIFTY MAJOR MARKETS

First. The following signals are required, upon request, to be carried:

(1) All market signals (See smaller markets above); [38]
(2) Grade B signals of educational television stations;
(3) All translator stations in the cable community with 100 watts or higher power;
(4) Television stations significantly viewed in the cable community.

Second. A cable system may carry additional signals so that, including the signals required to be carried under the First priority, the following total may be provided:

(1) Three full network stations (subject to leapfrogging restrictions).
(2) Three independent stations (subject to leapfrogging restrictions).

Third. Generally, the cable system may carry educational and non-English language stations as described for smaller markets above.

The cable system may carry two additional independent stations (subject to leapfrogging restrictions); provided, however, that the number of additional signals permitted under this priority is reduced by the number of signals added to the system under the second priority.

CABLE SYSTEMS LOCATED IN THE SECOND FIFTY MAJOR MARKETS

First. The same requirements apply as for the First Fifty Markets.

Second. The cable system may carry additional signals so that, including the signals required to be carried under the First priority, the following total may be provided:

(1) Three full network stations (subject to leapfrogging restrictions).
(2) Two independent stations (subject to leapfrogging restrictions).

Third. The same requirements apply as for the First Fifty Markets.

NOTE.—Cable systems located in overlapping markets where differing amounts of service are provided for under the rules, e.g., in the overlap of a smaller market and one of the first fifty markets, must operate in accordance with the rules for the larger market.

75. The signal carriage rules are tailored to markets of varying size in accordance with the estimated ability of these markets to withstand additional distant signal competition. The rules vary according to whether the cable system is in the first 50 television markets, in markets 51–100, in a market below 100, or not in any television market. A list of the major markets (first 100) and their designated communities is made part of the rules (Section 76.51). The list is derived largely from

[38] In the major markets, where a cable television system is located in the designated community of such a market, it shall not carry as a local signal the signal of a station licensed to a designated community in another major market, unless the designated community of the cable system is wholly within 35 miles of the reference point of the other community or unless the station meets the significant viewing standard.

the American Research Bureau's 1970 prime-time households ranking. The list will not be revised each time new rankings are issued; there must be stability in this area, so that plans and investment can go forward with confidence. A contrary approach would be disruptive to the viewing public. Previously, our rules (Section 74.1107) employed a market ranking system based on the net weekly circulation of the largest station in each market. We have now concluded that the prime-time households ranking will serve more appropriately because it more accurately reflects the audience and financial strength of each market.[39]

76. We have delineated the areas to which particular rules will be applicable. We define the basic area as a zone of 35-miles radius surrounding a specified reference point in each designated community in a market. A set of reference points fixing the center of the community to which each station is licensed is made part of the rules (Section 76.53). For new television stations where reference points have not been specified, the 35-mile zone will be drawn from the main post office in the television station community. The purpose of drawing these zones is to permit generally unrestricted cable operation in those outer areas where such operation would have insignificant effect on the revenues of local television stations.[40]

77. Cable systems in communities partially within a 35-mile zone are treated as if they are entirely within the zone. There is, however, one exception to this rule: a cable system in a major market designated community is treated as within the zone of a station licensed to a designated community in another major market only if the 35-mile zone of the station covers the entire community of the cable system. In those instances where there is an overlapping of zones to which different carriage rules are applicable, the rules governing the larger market will be followed. Authorized stations with construction permits, but which have not yet commenced broadcasting, are treated as having a zone and as operational under the rules for a period of 18 months following initial grant of permit.[41] However, the emergence of new stations will not require displacement of existing signals because that would cause disruption of service to the public. Such new stations are likely only in the major markets where new systems will in any event have large channel capacity.

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[39] Net weekly circulation is more an index of potential audience than actual audience. The latter can probably best be reflected by average prime-time rankings of all stations in the market. In employing these rankings we have changed some designations from those supplied by ARB where anomalous results would otherwise occur. There are also changes from the list attached to our August 5, 1971 Letter to the Congress: Little Rock, for example, is now ranked 50 and Wichita-Hutchinson 67 in order to reflect our earlier determination in the Prime Time Access Proceeding, Public Notice, 29 FCC 2d 212 (1971). Other markets have consequently also been renumbered.

[40] The 35-mile zone was first proposed in our proceeding in Docket 18397. It was based on experience and on analysis of a number of representative markets. In that proceeding the comments directed toward the size of the zone were predictably split: cable interests desired smaller zones; broadcasters, larger ones. We are not convinced that our proposal for a 35-mile zone should be changed in either direction. The zone is particularly effective for UHF stations that generally have significantly smaller service areas than VHF stations. The comments filed by AMST indicated that it is the UHF stations—no matter where located—that have the substantial share of their audience within the 35-mile zone. In addition, as we stated in our proposal, a fixed mileage standard has the advantage of administrative ease and provides certainty to the affected industries.

[41] A station that goes off the air will have no zone nor be treated as operational but can, under Section 76.7, file appropriate pleadings to insure that the *status quo* not be altered during a reasonable period needed to put the station back on the air. However, the burden will be on the station to make a convincing showing that it will speedily return to broadcasting.

Signals Required To Be Carried

78. Our objective in approaching the signal carriage issue has been generally twofold: (1) to assure that "local" stations are carried on cable television systems and are not denied access to the audience they are licensed to serve; and (2) to gauge and, where appropriate, to ameliorate the competitive impact of "distant" signal carriage. Because market patterns vary and there is only gradual deterioration in a station's receivability as the distance from its transmitter increases, there is no necessarily clear dividing line between "distant" and "local" signals. Nevertheless, a line must be drawn somewhere.

79. Under prior rules, Grade B signals were generally considered to be local and, on request, cable systems were required to carry all Grade B signals covering their communities. Signals carried beyond their Grade B contours were considered to be distant. While the Grade B carriage rule has been a part of the Commission's cable television rules from the beginning, its operation has been complicated in practice as a result of footnote 69 to the *Second Report and Order in Docket 15971.* This footnote[42] indicated that there might in rare instances be a question whether all local signals could be carried if the cable system were identified primarily with one market and some of the local signals came from an overlapping market.

80. Between March, 1966, when the *Second Report and Order* was adopted, and our cable proposal of December, 1968, many cable systems were precluded from carrying local stations because television broadcasters filed oppositions to, and petitions for special relief against, cable proposals seeking to carry signals that were in fact local but came from overlapping major markets. Under the Commission's rules, the filing of such oppositions resulted in a stay against carriage of the disputed signals until the Commission resolved the issue in each case.[43] In December, 1968, we proposed to lend precision to the application of footnote 69 by providing that cable systems located in communities that were for all practical purposes part of two major markets (neither market could claim the community as its own because television viewers watched programs from both markets) could carry the signals of both markets but only in those cases where the community of the system lay wholly within the 35-mile zones of both overlapping markets.

81. We have now decided that the following classes of signals should be treated as local: signals of stations within 35 miles of the cable system, signals meeting a significant viewing test, market signals in hyhenated markets, and in some cases Grade B signals.

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[42] The full text of footnote 69 is as follows: "If two major markets each fall within one another's Grade B contour (e.g., Washington and Baltimore), this does not mean that there is no question as to the carriage by a Baltimore CATV system of the signals of Washington; for in doing so and thus equalizing the quality of the more distant Washington signals, it might be changing the viewing habits of the Baltimore population and thus affecting the development of the Baltimore independent UHF station or stations. Such instances rarely arise, and can, we think, be dealt with by appropriate petition or Commission consideration in the unusual case where a problem of this nature might arise."

[43] Under Section 74.1105(c) an automatic stay against the carriage of signals objected to in a cable proposal became effective if the proposal was objected to within thirty days after notification was given to local broadcasters.

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76. We have delineated the areas to which particular rules will be applicable. We define the basic area as a zone of 35-miles radius surrounding a specified reference point in each designated community in a market. A set of reference points fixing the center of the community to which each station is licensed is made part of the rules (Section 76.53). For new television stations where reference points have not been specified, the 35-mile zone will be drawn from the main post office in the television station community. The purpose of drawing these zones is to permit generally unrestricted cable operation in those outer areas where such operation would have insignificant effect on the revenues of local television stations.[40]

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[43] Under Section 74.1105(c) an automatic stay against the carriage of signals objected to in a cable proposal became effective if the proposal was objected to within thirty days after notification was given to local broadcasters.

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82. *35-Mile and Grade B Signals.* All cable systems must carry, on request, the signals of all stations licensed to communities within 35 miles of the cable system's community.[44] This requirement, based on policy considerations similar to those underlying existing carriage rules, is intended to aid stations—generally UHF—whose Grade B contours are limited. In this manner less powerful stations will be able to compete with more powerful stations in the same market more effectively than they could under our old carriage rules; they will be capable of extending their coverage into the area that we have determined is generally necessary for the development of broadcasting stations. With respect to cable systems located wholly outside the specified zones of all stations, all Grade B signals must be carried. This, of course, maintains the earlier carriage rule and assures that all stations whose Grade B contours extend beyond 35-mile zones will be carried by systems located outside such zones.

83. *Overlapping Market Signals.* A more significant departure from our earlier carriage rules involves the overlapping market or footnote 69 situation. Audience measurements frequently show that stations from one market coming into another market do not receive audience shares of significant size in the latter even though they are of predicted Grade B strength. Such stations with no significant audience in a market may logically be treated as distant signals. The problem then is to draw a line between those stations that have sufficient audience to be considered local and those that do not. Cable development is not likely to be advanced if television choices on the cable are more limited than choices over the air, nor is it reasonable that signals significantly viewed over the air be excluded from carriage on cable systems. Thus, our rule permits and, on appropriate request, requires carriage of a signal from one major market into another if that signal—without regard to distance or contour—has a significant over-the-air audience in the cable system's community. Because the same rationale is applicable, the rule is also applicable to overlaps between major and smaller markets. In sum, cable systems in a smaller or major market may carry a signal from a major market as a local signal only if the system's community is wholly or partially within 35 miles of that market or if the signal in question is significantly viewed in the cable system community. However, where a cable system is located in the designated community of a major television market, it may carry the signal of a television station licensed to a designated community in another major television market only if the designated community in which the cable system is located is wholly within the specified 35-mile zone of the station. There will continue to be no restriction on carriage of Grade B signals or those significantly viewed from one smaller market into another, and network exclusivity will be applicable.

[44] All signals that systems must carry on request may also be carried in the absence of request. We also retain our present rule that all 100 watt or higher power translator stations licensed to the community of the system must be carried. We note, however, especially with respect to noncommercial educational stations, that translators are operating with less than 100 watts of power. In many of these cases, it may be expected that the parent station will be carried. Should problems arise in this area, we will consider them either on an *ad hoc* or general basis.

84. A significant viewing standard can reasonably be drawn at several points. We have concluded that an out-of-market network affiliate should be considered to be significantly viewed if it obtains at least a three percent share of the viewing hours in television homes in the community and has a net weekly circulation of at least 25 percent.[45] For independent stations, the test is a share of at least two percent viewing hours and a net weekly circulation of at least five percent. The two criteria reflect distinct concepts. Net weekly circulation reflects the extent to which signals are of any interest to television viewers but tends largely to reflect the availability or viewability of a signal as a technical matter. Audience share indicates the intensity of viewer interests. The combination of these two criteria provides greater assurance that the signal meeting the test is in fact significantly viewed. The lower figures for independent stations are intended to reflect the smaller audiences that these stations generally attract even in their home markets.

85. For purposes of establishing that a station meets the significant viewing standard we are using the 1971 American Research Bureau "Television Circulation Share of Hours" survey information for those counties in which there is less than ten percent cable television penetration. In those counties where there is ten or more percent penetration we are using the ARB 1971 "Non-CATV Circulation and Share of Viewing Hours Study for ARB CATV-Controlled Counties."[46] The latter was prepared for the Commission by ARB so that in those counties with substantial existing cable penetration, over-the-air viewing in the absence of cable television can be measured. Because this data is provided on a county-wide basis only, we recognize that it may not account for variations in viewing levels among communities within the county. There may be other drawbacks in using these surveys, such as rounding of percentages and sampling errors. We nevertheless propose to accept this county-wide information to establish viewing levels for signals in all communities within these counties. In doing so, we note that survey information of this type is generally used by the television industry without differentiating among communities within counties, and that it gives a useable indication of viewing. But the most important consideration in our decision to accept these figures as conclusive is the strong desirability of certainty, both from a cable and a broadcast point of view.[47] Otherwise, rather than permitting cable to get moving, we believe there would be controversy in virtually every case. By proceeding in this fashion, we hope to reduce controversy, to provide a base of signals that cable systems will be assured they may carry, and to define areas in which stations will have rights to

[45] As used here the term net weekly circulation is a measure of the number of households that viewed a station for five minutes or more during an entire week, expressed as a percentage of the total television households in the community. Share of viewing hours is a measure of the total hours all television households in the community viewed a station during the week, expressed as a percentage of the total hours these households viewed all stations during the period surveyed.

[46] For convenience, the Commission is herewith supplying as Appendix B the relevant information from these reports. In those instances where ARB has divided counties for survey purposes, we have followed that pattern.

[47] To avoid disruption of viewing and to promote the needed certainty, we stress that the signals specified in the 1971 sweeps are not subject to deletion on the basis of some special showing or later survey.

carriage. This approach strikes an appropriate balance—in 1966 we selected the Grade B contour, and in 1968 the 35-mile zone, neither of which was specifically geared to actual viewing, while we now select a precise standard that is much more likely to reflect such viewing.

86. To minimize controversy at the outset of our new program, we are precluding special showings by cable systems or broadcasters until March 31, 1973. Thereafter, those wishing to make supplemental showings for the purpose of qualifying new signals under the significant viewing test may do so. Any survey data submitted must be based on the requirements specified in Section 76.54 of the Rules. This rule requires that surveys be made by disinterested professional organizations that are independent of the cable systems or television stations ordering the surveys. Two weekly periods separated by at least 30 days are required to offset any variations in viewing that may occur during a particular week, and one of the weeks must be outside the summer season when viewing patterns are unrepresentative of the entire year. We recognize that the results of sample surveys can only be determinative within a given probability. But because signals once permitted to be carried will not be deleted, we are setting our probability test high. We are providing that the sample result must exceed the significant viewing standard by at least one standard error. And although we will not require it, we believe it will reduce controversy if parties making studies were to inform other interested parties that the survey is to be made and of the methodology to be used. Objections, if any, to methodology should then be lodged so that corrections may be made before the survey is taken.

87. *Hyphenated Markets.* In such markets, characterized by more than one major population center supporting all stations in the market but with competing stations licensed to different cities within the market area, we will permit and, on request of the station involved, require carriage of all stations licensed to designated communities in the market.[48] Because of the structure of these markets, including the terrain and the population distribution, portions of the market are occasionally located beyond the Grade B contours of some market stations. Consequently, we are adopting this rule in order to help equalize competition between stations in markets of this type, and to assure that stations will have access to cable subscribers in the market and that cable subscribers will have access to all stations in the market.

Additional Service

88. The Commission's television allocations policy to a large degree reflects population distribution: more channels are allocated to densely populated areas than to those that are sparsely populated. This means more television service and more choices for those who live in the population centers of the country. This represents, however, not a judgment that inhabitants of the largest cities need the added service or have a

[48] For example, a Mineral Springs, Arkansas system would, on request, have to carry signals from stations licensed to Shreveport, even though they are of less than Grade B quality, because Mineral Springs is in the Texarkana-Shreveport market. Where smaller markets are involved, we will rely on industry practices as reflected by national audience rating services as to which markets are hyphenated. This is an area where decision will have to be made on the facts of each case.

public right to more diversity, but merely our decision as to an equitable distribution of facilities and that more television stations can be economically supported in areas of greatest population. Clearly, cable service can provide greater diversity—can, if permitted, provide the full television complement of a New York or a Los Angeles to all areas of the country. Although that would be a desirable achievement, it would pose a threat to broadcast television's ability to perform the obligations required in our system of television service. We believe, however, that those who are not accommodated as are New York or Los Angeles viewers should be entitled to the degree of choice that will afford them a substantial amount of diversity and the public services rendered by local stations.

89. Cable television can and should help in achieving the diversification sought by our allocations policies. It would, of course, be desirable to adopt one nationwide standard. However, because we seek to minimize possible impact on local broadcasting, we have decided to establish standards of television service that vary with market size. (Noncommercial educational and non-English language stations are not included in these standards and are discussed separately below). It is our determination that the public interest will be served by allowing cable systems to make available the following complement of signals:

(1) *In television markets 1–50:*
Three full network stations.[49]
Three independent stations.
(2) *In television markets 51–100:*
Three full network stations.
Two independent stations.
(3) *In smaller television markets (below 100):*
Three full network stations.
One independent station.

If after carriage of stations within 35 miles, those from the same market, and those meeting the viewing test, the service authorized above is not available, distant signals are permitted to be carried to make up the defined level of service.[50]

90. Cable systems in major markets are in any case permitted to carry two signals beyond those whose carriage is required under the mandatory carriage rules. If the service standards set out in the preceding paragraph are met by the carriage of all stations required to be carried, two additional independent stations will be authorized.

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[49] Some confusion existed under our former definitions of independent and network stations. For example, a fourth station in a market where the other three each had primary affiliations with a major network and where the fourth carried some network programming not otherwise available in the market, might have been construed to be a network station although essentially it was an independent. In order to clarify such ambiguities and to insure, particularly during prime time, that cable viewers will be provided with full network service, we have settled on the following definitions: (1) A full network station is one that generally carries during prime time 85 percent of the hours of programming offered by a single network with which it has a primary affiliation. (2) An independent station is one that generally carries during prime time not more than 10 hours of network programming per week.

[50] In areas of overlap between markets in which different degrees of service are permitted, cable is required to operate in accordance with the rules governing the larger market. Generally, these overlapping areas, especially between major and smaller markets, comprise a small portion of both markets and do not encompass the populated centers of the markets.

However, if the system adds distant signals—either network affiliates or independent stations—to meet the service standards, these will be counted against the two additional signals. If, for example, a system in a market ranked between 51 and 100 proposes to carry a distant network affiliate and a distant independent signal to reach the service standard, no further signals will be authorized. Cable systems in smaller markets (below 100) are not permitted to import network or independent television signals beyond the designated 3–1 service level. Noncommercial educational and non-English language stations may also be carried in accordance with the rules set out below. The rationale for permitting at least two additional signals in all major markets is simply this: it appears that two signals not available in the community is the minimum amount of new service needed to attract large amounts of investment capital for the construction of new systems and to open the way for the full development of cable's potential. We will, therefore, permit this complement of signals in the larger markets because it is necessary in terms of cable's requirements and because it is acceptable in terms of impact on broadcasting.

91. Cable systems in communities entirely outside the zone of any commercial television station may carry television signals without restriction as to number and must carry all Grade B signals, all educational television stations within 35 miles, and all 100 watts or higher power translator stations licensed to the cable community. We have, however, given particular attention to the arguments of small market broadcasters that continuing cable penetration will adversely affect their ability to serve the public interest. Because these smaller stations serve sparsely populated areas, we agree that some relief is warranted. Accordingly, we are going beyond our August Letter by requiring that these smaller market signals, where significantly viewed, must be carried on all new cable systems and on all existing systems with sufficient channel capacity—even if the cable community is beyond Grade B contours—and, as to new systems, must be afforded simultaneous non-duplication protection (Sections 76.57 (a)(4) and 76.91(c)).[51] Smaller market broadcasters, particularly in the Rocky Mountain region, argue against 35-mile zones and contend that, in their case, an effective zone must be much greater (e.g., Grade B contour) to take into account audiences important to their operations. We recognize the validity of the contention that there is audience beyond the 35-mile zones. But our economic analysis—taking into account such factors as where cable can be feasibly constructed, the impact of existing cable penetration, and the revenues of such stations—simply does not bear out the need for any general rule that would have unpredictable consequences in other parts of the country.

And we note that even the Rocky Mountain stations do not appear to fit into one mold: financially, some are doing better than the industry average, some the average, and some worse. In view of all these considerations, we have concluded that the appropriate way

[51] New systems may wish to use microwave facilities in order to obtain a better quality picture. We recognize, however, that our requirements may impose undue burden on some systems and accordingly will give careful consideration to appropriate petitions for relief.

of proceeding at this time is to extend the special relief described above and to examine any showings filed by these stations in the certificating process. New cable systems must give notice before commencing operations, and broadcasters—with knowledge of their own situations—will thus have a full opportunity to make a case for additional relief. We will give these showings most careful scrutiny. Additionally, we will undertake our own in-depth analysis where the desirability of such study is indicated. The essential consideration is not the extent of cable penetration or audience fragmentation *per se* but rather a demonstration of the effect of cable operations on station revenues and profits and on their ability to serve the public interest. We intend to keep a close watch on future developments in the Rocky Mountain and other regions involving smaller station operations—in rural areas generally—and have directed our staff to prepare reports annually. We will be alert to any emerging trend and in position to adjust our program accordingly.

Leapfrogging

92. In establishing policy in this area we have had a number of conflicting considerations to reconcile. On the one hand, it is arguably desirable to allow cable systems the greatest possible choice, on the assumption that they will select those signals that will most appeal to their subscribers and are available at the least expense. But in that event there is a risk that most cable systems would select stations from either Los Angeles, Chicago, New York, or one of the other larger markets. There would then be no general participation by broadcast television stations in the benefits of cable carriage. There is the additional consideration that carriage of closer stations, because they are usually in the same region and often in the same state, supplies some programming that is more likely to be of interest in the cable community. We believe we have struck an appropriate balance.

93. The leapfrogging rules are applicable to cable systems in all television markets. With respect to network affiliates, a cable system must afford priority of carriage to the closest such station or, at the option of the cable system, to the closest such station within the same state. In selecting independent stations, cable systems have a choice as to the first two such stations carried, except that if stations from among those in the top 25 designated markets are selected, they must be taken from one or both of the two closest such markets. Systems permitted to carry a third independent station are required to select a UHF station from within 200 miles. In the absence of any UHF station in this area, a VHF independent from within the area may be carried or, at the option of the cable system, any UHF independent. During those periods when programming on a regularly carried independent station must be deleted by virtue of the program exclusivity rules, the system is free to insert unprotected programming from any other stations (including network affiliates) without regard to point of origin. Such substitute programming may be continued to its conclusion. The cable system may also substitute other programming when the material on the regularly carried independent is a program primarily of local interest to the distant community (e.g., local news or public affairs).

Educational Stations

94. The principal concern of noncommercial educational broadcasters with signal importation is not reduction in audience size but possible erosion of local support among cable television subscribers. The rule we are adopting will permit carriage of distant educational stations in the absence of objection from local educational stations or educational television authorities.

95. Educational television interests are concerned about such a rule only to the extent that it might involve them in difficult and expensive process. We recognize the difficulties that educational interests face if forced to spend time and money in protracted litigation before the Commission and will accordingly attempt to settle any questions that may arise through informal procedures. We will give their objections careful consideration, and will endeavor to work out accommodations that serve the public interest. In the absence of objection, however, the widest possible dissemination of educational and public television programming is clearly of public benefit and should not be restricted. The rules require cable systems to carry, on request, all educational stations within 35 miles and those placing a Grade B contour over the cable community. We are continuing to require that local educational stations and local and state educational authorities receive direct notification of proposals by cable television systems to carry educational stations. While all objections will be carefully considered, we do not ordinarily anticipate precluding carriage of state-operated educational stations in the same state as the cable community.

Foreign Language Stations

96. Except in a very few markets, all U.S. stations broadcast in the English language. Although there are areas of the country, especially along the Canadian and Mexican borders, with significant populations whose first or only language is French or Spanish, the economics of television broadcasting generally precludes providing these areas with other than English language programming. Cable systems, however, have the capability of overcoming this problem, and we believe this capability should be encouraged. We will, accordingly, permit cable systems to carry non-English language programming without limitation. Where there is a local station broadcasting predominantly in a foreign language the added diversity provided by the carriage of distant foreign language stations broadcasting in the same language will be permitted unless the local station demonstrates that such importation will adversely affect its ability to serve the public. In order to encourage this carriage, distant foreign language stations will not be counted as part of the additional signal quota discussed above and we will not impose any restriction as to which stations, either foreign or domestic, may be carried.[52] As with educational stations, foreign lan-

[52] Following our August Letter to Congress, the licensees or permittees of Spanish-language stations in Los Angeles and Hanford, California, San Antonio, Texas and Miami, Florida, wrote to the Commission requesting that importation from Mexico of Spanish language stations not be allowed where U.S. Spanish language programming is available either off the air or potentially available via microwave. We recognize the arguments in favor of supporting domestic stations. However, above all, we are attempting to encourage carriage of foreign language stations. Therefore, absent the unusual situation, we do not think any additional burden should be imposed on the cable systems involved.

guage stations fulfill an important need for what generally is an audience limited in number. As a consequence, we do not anticipate that their carriage will have significant impact on the totality of local television service.

Program Exclusivity

97. Our solution to the problem of distant signal carriage involves an extension of our existing program exclusivity rules to provide more effective protection to syndicated programming. Additionally, we believe a change is appropriate in the same-day exclusivity rule that applied as a practical matter only to network programming.

98. The previous exclusivity rule (Section 74.1103) was based on a system of priorities that generally protected a station of higher priority against having its programming duplicated on the same day by cable carriage of a lower priority station. From highest to lowest, the signal strength priorities are Principal Community, Grade A, and Grade B. With respect to network television programming, we are retaining this system of priorities but will only require cable systems, on request of a higher priority station, to refrain from simultaneous duplication of the higher priority station's network programming.[53] Except for this change from same-day to simultaneous protection, we retain the precedents and policies evolved under the prior rule.

99. The change, while serving effectively to protect an affiliate's all-important network programming (except in the time zone situation [54]), facilitates cable operation, particularly in the smaller markets. The new provision is also complementary to the changes in our signal carriage rules that permit new cable systems in both smaller and major markets to carry duplicate sets of network stations only if the signals are available under the significant viewing standard. Because these signals are generally available even without cable, it is appropriate that cable subscribers not be denied such time diversity as is available over the air.

100. Syndicated programming will now be effectively protected in the major markets.[55] In markets 1–50—cable systems, on receipt of appropriate notification, will be required to refrain from carrying syndicated programming on a distant signal as follows: (1) during a preclearance period of one year, syndicated programs sold for the first time anywhere in the United States for television broadcast exhibition; (2) during the run of the contract, programs under exclusive contract to a station licensed to a designated community in the market. In markets 51–100—cable systems, on receipt of appropriate notification, will be required to refrain from distant signal carriage of syndicated pro-

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[53] We do not afford exclusivity to foreign stations (Section 76.5(b)). We would, however, consider affording network exclusivity on petition filed under Section 76.7 in the unusual situation where a U.S. network has obtained permission to have its programming transmitted into a U.S. market via a foreign station.

[54] We will, on appropriate petition, grant additional exclusivity relief in those situations where a signal is carried from one time zone into another.

[55] Syndicated programming is defined in the rules (Section 76.5(p)). Essentially, it encompasses non-network programming sold in more than one market. This does not mean that if two stations (usually under common ownership) have a practice of saving on film costs by using a microwave interconnection for their syndicated presentations (e.g., an off-network series), the stations are not entitled to syndicated exclusivity protection. They are simply using a different means of presenting non-network programming.

grams under exclusive contract to a station licensed to a designated community in the market, except in the following circumstances:

(1) *For off-network series programs:*

(A) Prior to the first non-network broadcast in the market of an episode in the series;

(B) After a first non-network run of the series in the market or after one year from the date of the first non-network broadcast in the market of an episode in the series, whichever occurs first;

(2) *For first-run series programs:*

(A) Prior to the first broadcast in the market of an episode in the series;

(B) After two years from the first broadcast in the market of an episode in the series;

(3) *For first-run, non-series programs:*

(A) Prior to the date the program is available for broadcast in the market under the provisions of any contract or license of a television broadcast station in the market;

(B) After two years from the date of such first availability;

(4) *For feature films:*

(A) Prior to the date such film is available for non-network broadcast in the market under the provisions of any contract or license of a television broadcast station in the market;

(B) Two years after the date of such first availability;

(5) *For other programs:* one day after the first non-network broadcast in the market or one year from the date of purchase of the program for non-network broadcast in the market, whichever occurs first.

Additionally, and with respect to each of these categories of programming, a cable system in markets 51–100 may carry any distant signal syndicated program during prime time unless the station asserting exclusivity has both an exclusive contract for that program and will broadcast that program during prime time hours.

101. The rules governing syndicated program exclusivity will be administered in the following manner. While contracts entered into before the effective date of these rules will be presumed to be exclusive, subsequent contracts must specifically provide for broadcast exclusivity (both over-the-air and by cable) before a program can be protected under the rules. At a minimum a television licensee seeking exclusivity protection must obtain (a) exclusivity against other television stations licensed to its designated community in the market [56] and (b)

[56] We recognize that it may appear anomalous in some instances to require exclusivity only against stations licensed to the same designated community—e.g., a Minneapolis-St. Paul or a Dallas-Ft. Worth situation. But the answer is that in such instances programs are not sold on an exclusive basis just in St. Paul or just in Ft. Worth, but rather for both cities in each of the markets. As a practical matter the requirement for specific exclusivity for television broadcast in one of these designated cities insures that broadcast exclusivity has really been obtained in that market. Were we to specify that the contract should provide exclusivity for all the designated cities in the market, it might be requiring too much. In some markets, the designated communities are located so far apart that a sale in one does not and should not preclude a sale in the other. This matter of permissible geographical exclusivity is the subject of the proceeding in Docket 18179. We believe that by proceeding as above, we will largely avoid introducing 18179 problems in this area and yet will achieve our basic objective here. If there are abuses or the need for specific action because of some peculiar situation, we can handle those matters on complaint.

The foregoing is the minimum requirement for exclusivity protection. If a broadcast station obtains in its contract exclusivity against stations located in other designated communities in its market, protection will also be afforded in the 35-mile zones of those

exclusivity against cable dissemination of the program within the 35-mile zone [57] via a distant signal. We think that this is a reasonable requirement. A broadcast station may now purchase the exclusive right to broadcast a television program in its market. Cable represents another way to distribute the program. The station may bargain for the exclusive right as to any cable television presentation (e.g., cable origination, pay-cable, or other leased channel presentation). But what it must obtain, in order to be entitled to protection, is the exclusive right with respect to broadcast exhibition—whether the broadcast exhibition stems from another station in the market or from a cable system in the market that is bringing in distant broadcast signals. This is reasonable market exclusivity which the broadcaster is entitled to seek and which he must obtain to claim exclusivity rights under Section 76.151.

102. Because this is a complex subject, it may be helpful to give examples, using the Baltimore-Washington situation. A Washington station, even if significantly viewed in Baltimore, would have no right to preclude carriage of its syndicated programs on a distant signal (e.g., from Philadelphia) carried on a Baltimore cable system, because Baltimore is a designated major market community that does not fall wholly within 35 miles of Washington. A Washington station could preclude carriage of a protected program on a distant signal being carried on a Washington cable system and on other cable systems located within 35 miles of Washington (except on a cable system in Baltimore). In Laurel, Maryland, which lies between Washington and Baltimore, a cable system could carry both Washington and Baltimore signals, would protect the programming of neither against the other, and would protect the programming of both Baltimore and Washington signals against distant signals. Assuming that a smaller television market community were located wholly or partially within the 35-mile zone of Washington, a Washington station would be entitled to top 50 market exclusivity protection in that community. If a community fell wholly or partially within 35 miles of both a top 50 station and a second 50 station, the one year pre-clearance period would be applicable, and the cable system could be called on to protect the programming of stations from both markets in accordance with the requirements respectively applicable to those markets.

103. In markets 1–50, pre-clearance protection is complementary to the way in which syndicated programs are sold—i.e., they are sold in the largest markets first and, without a pre-clearance period, cable carriage of signals from these larger markets into other markets in the first 50 could dilute exclusivity and the value of the product. We are also protecting exclusivity for the full term contracts in these markets,

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communities. While this purchase of additional broadcast exclusivity (with explicit accompanying extension of cable protection) is clearly a permissible practice in many instances (e.g., the Dallas-Ft. Worth situation), it could, as noted, raise policy questions under 18179 (e.g., Cleveland-Akron). These matters will be treated in Docket 18179, but may of course be raised in this area by any interested person, such as the cable system.

[57] A station located in a designated community of a major market is not entitled to exclusivity protection in a designated community located in another major market unless the latter community lies wholly within 35 miles of the station's community. This provision parallels Section 76.61(a)(1) of the carriage rules. Further, stations from other markets carried by a cable system pursuant to the significant viewing test will not be entitled to syndicated program exclusivity on such systems. Nor will any of their programming have to be deleted to protect stations licensed to designated cities in the market in which the system is located.

but we note that the duration of contracts is a matter that we have under consideration in Docket 18179 where we stated:

> The issue is somewhat analogous to that in the motion picture field where the courts have held that clearances are reasonable only "when not unduly extended in area or duration" and are not reasonable if "in excess of what is reasonably necessary to protect the licensee in the run granted". *U.S.* v. *Paramount Pictures, Inc.*, 66 F. Supp. 323, 70 F. Supp. 53 (S.D.N.Y., 1947), noted with approval by the Supreme Court, 334 U.S. 131, 145, 147 (1948).[58]

104. With respect to exclusivity in markets 51–100, a number of distinctions have been drawn among the types of programs involved and the length of protection each is afforded. In general, off-network programming (formerly on the network, now in syndication) is protected for a shorter period because it receives its initial protection under network exclusivity rules and because, with respect to series, a year is sufficient to establish viewer loyalty for the local station. We have also been attempting to encourage the production of first-run, non-network syndicated programming through our prime time access rules, and the exclusivity afforded here will give additional encouragement to the production of that kind of programming.

105. With respect to series programs, all episodes are to be treated as a unit—i.e., for the period in which exclusivity protection is afforded, the whole series rather than individual episodes will be protected, and during that period a cable system will not only have to refrain from carrying on a distant signal the same episodes under contract in the market but all other episodes as well, regardless of whether any station in the market has an exclusive contract to broadcast the episodes against which exclusivity is sought. Similarly, a station's exclusivity rights expire as a unit so that, for example, protection ends for a first-run series two years after any station in the market first broadcasts an episode in the series. Thereafter, any episode of the series may be brought in by cable regardless of whether it has ever been shown by a station in the market or is under exclusive contract to a station in the market. Finally, in the first 50 markets pre-clearance applies only to series or packages of programs consisting wholly of newly created material.

106. The rules governing program protection specify that appropriate notification be given to cable systems when exclusivity rights are asserted. The pre-clearance rule for the first 50 markets is designed principally for the benefit of copyright holders. The burden is therefore placed on copyright holders or their designated agents to notify cable systems in these markets when a sale has been made and that the pre-clearance period is running. With respect to other requests for exclusivity, the burden is also placed on the party seeking protection, in these cases the broadcaster. But when program deletion on regularly carried distant signals is required, the burden of identifying substitute programming that may be carried shifts to the cable system. Section 76.155 specifies how proper notification is to be given and details the form of notification. Because the program protection obligations of cable systems turn on the terms specified in contracts be-

[58] 27 FCC 2d 13, 14 (1971).

tween copyright holders and broadcast stations, the appropriate portions of such contracts are required to be included in the public files of broadcast stations where they will be available for examination.[59] Reciprocally, we are requiring cable systems to maintain a log of distant signals carried and the programs offered on those signals.

Grandfathering

107. In light of the difficulty of withdrawing signals to which the public has become accustomed and in deference to the equities of existing system operators, we are not applying the new carriage rules to any signals that a cable system was authorized by the Commission to carry or was lawfully carrying prior to March 31, 1972.[60] If carriage of signals has been limited by Commission order to a discrete area of a community, any extension of service outside the discrete area will be subject to the new carriage rules. A cable television system currently operating with authorized signals, and not the subject of such an order, may freely expand in its community with such signals. Grandfathered cable systems may add signals of a class permitted by the rules (e.g., independent signal(s) if none is presently carried). The addition of such new signals where the system is located in one of the top 100 markets will also require compliance with the rules regarding access availability (Section 76.251(a)(4) through (a)(11)). With respect to exclusivity, existing carriage is grandfathered so that an operating system need not comply with the syndicated exclusivity rules except for new signals added or if the system extends operations into a new community or beyond the discrete area to which it has been specifically limited by Commission order.

108. In addition, we have adopted the proposal in Docket 18373 [61] that permits signals authorized or grandfathered to one system in a community to be carried by other systems in the community. Systems availing themselves of this rule are governed by the syndicated programming exclusivity obligations applicable to the earlier system. This will eliminate competitive imbalances between systems operating in the same community and avoid the necessity for the filing of waiver requests.

Procedural Matters

109. With the adoption of our new program for cable television, we are also instituting new procedures. These have been designed to assure: that effective public notice of new proposals is given; that applications contain full information on the details of system operation; and that new cable proposals are, without exception, reviewed for consistency with our rules.

110. New service may not begin until a certificate of compliance is issued. An application for a certificate of compliance must contain the following information:

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[59] Arguably, full contracts should be in the file. We are not persuaded, however, that it is necessary to go that far, and are permitting the parties to withhold those terms of their contracts that do not relate to the exclusivity in question. But we expect to watch carefully how this arrangement works out in practice, and we will revisit the matter if abuse develops because all the terms of contracts are not revealed.

[60] Included among authorized signals are both those whose carriage has been permitted by specific decision of the Commission, and those authorized by operation of the provisions of former Section 74.1105 of the Rules and not inconsistent with former Section 74.1107.

[61] *Supra*, note 1.

(1) The name, mailing address, and proposed starting date of service, the community to be served, a list of the broadcast stations to be carried (excluding those expected to be used for substitute programming under Sections 76.61(b)(2)(ii) and 76.63), and a statement of whether microwave service will be used to deliver any of the signals.

(2) A copy of FCC Form 325 "Annual Report of Cable Television Systems", supplying all applicable information.

(3) A copy of the franchise, license, permit or certificate granted by the local authority.

(4) A statement demonstrating that the proposal complies with the cable television rules. This should indicate how the choice of signals to be regularly carried is consistent with the rules and should explain how the system's franchise and plans for availability and administration of access channels and other nonbroadcast services meets requirements.

After a cable system is certified, an application for a new certificate to add local or distant signals on a regular basis need not include the franchise or Form 325. A system in operation on March 31, 1972 does not have to file an application for certification if no new signals are added to the system, but will have to apply for certification when its current franchise expires or by March 31, 1977 whichever comes first.

111. In issuing certificates, and for purposes of these new rules generally, we will continue the policy of treating cable operations, even if served by the same headend, as separate systems in each community served. Thus, when applications are filed for certificates of compliance, a separate application should be filed for each community in which the system will operate. Information pertaining to a number of communities need not be refiled separately for each community but may be incorporated by reference.

112. The Commission will issue public notices of all applications for certificates of compliance. Cable systems must give direct notice to local franchising authorities, local television stations, the superintendent of schools in the community, and local educational television authorities. Objections to proposed cable service may be made within 30 days after the Commission's public notice. Controversies concerning carriage (Subpart D) and network program exclusivity (Section 76.91) will be acted on in the certificating process if raised within thirty days of the public notice. Such matters may be raised at any time and will be considered under the special relief rules but outside the certificating process. The Commission will not certify new operations for 30 days after public notice and, whether or not objection is filed, a cable system may not commence new service before receipt of a certificate of compliance from the Commission. Absent special situations or showings, requests consistent with our rules will receive prompt certification. The rules will operate on a "go, no-go" basis—i.e., the carriage rules reflect our determination of what is, at this time, in the public interest with respect to cable carriage of local and distant signals. We will, of course, consider objections to signal carriage applications and have retained special relief rules, but those seeking signal carriage restrictions on otherwise permitted signals

have a substantial burden. Before restrictions are imposed in such cases, there will have to be a clear showing that the proposed service is not consistent with the orderly integration of cable television service into the national communications structure and that the results would be inimical to the public interest. We have during the course of this proceeding fully considered the question of impact on local television service and we do not expect to re-evaluate that general question in individual cases. And, for the same reason, we have no intention of re-evaluating on request of cable systems in individual proceedings the general questions settled in our carriage and exclusivity rules. Rather, we strongly believe that cable systems must generally operate under these rules and that, only after meaningful experience, will we be in position for a general reassessment.

113. In connection with our special relief provisions, we note that in our August Letter we designated certain markets where it appeared that special treatment to restrict distant signal carriage might have to be considered. We are no longer singling out these cases because the inclusion of substantial exclusivity protection for syndicated programming limits the impact of cable on local television service and is a new factor that must be taken into account. We are leaving unusual situations to petition for special relief, but there must be substantial showing to warrant deviation from the "go, no-go" concept of the rules. Finally, our 1968 proposals contemplated waiver of the leapfrogging restrictions in several circumstances. We will continue to be flexible as to the leapfrogging provisions for network signals—the rules specify that waiver may be granted for good cause, e.g., to bring in a signal of greater interest or from the same state or to avoid excessive microwave costs. But waivers in the case of the leapfrogging provisions for independent signals are not contemplated.

114. *Pending cases, notices, and related matters.* Having described the contents and operation of the new signal carriage and exclusivity rules, it is appropriate to outline the Commission's intentions with respect to pleadings, notifications, and other documents filed pursuant to our earlier rules (Part 74, Subpart K) prior to the effective date of the rules adopted herein.[62]

A. Petitions relating to the carriage and program exclusivity provisions of Section 74.1103:

(1) Petitions seeking waiver of the carriage rules will be dismissed as moot unless, within ninety (90) days of the effective date of the new rules, they are supplemented to demonstrate their relevance to the new regulatory program;

(2) Petitions seeking waiver of the program exclusivity rules will remain on file. Requests for same-day network program exclusivity will be presumed to have been modified to request only simultaneous network program exclusivity.

[62] Although our discussion has been limited to the revised cable television rules, now to be found in a new Part 76 (Cable Television Service), we have also made conforming changes in Subpart I of Part 21 (Point-to-Point Microwave Radio Service), Subpart J of Part 74 (Community Antenna Relay Service), and Subpart L of Part 91 (Business Radio Service). We note that the Community Antenna Relay Service has been renamed the Cable Television Relay Service (still to be abbreviated CAR), and the rules have been rearranged in a new Part 78.

B. Notifications given pursuant to Section 74.1105: These notifications will remain on file and, where relevant, may be incorporated by reference into an application for certificate of compliance.

C. Petitions seeking waiver of Section 74.1107 to import distant television signals into one of the 100 largest television markets: These petitions will be dismissed as moot unless, within ninety (90) days of the effective date of the new rules, they are supplemented to convert them into applications for certificates of compliance filed pursuant to Section 76.13 of the Rules.

D. Petitions invoking Section 74.1105(c) to stay the carriage of television signals: These petitions will be dismissed as moot, without prejudice to the filing of new pleadings in response to related applications for certificates of compliance.

E. Petitions seeking authorization to import television signals into areas not within the top 100 markets: These petitions will be dismissed as moot unless, within ninety (90) days of the effective date of the new rules, they are supplemented to convert them into applications for certificates of compliance filed pursuant to Section 76.13 of the Rules.

F. Petitions seeking interpretative rulings or the imposition of additional or different requirements, filed pursuant to Section 74.1109: These petitions will be dismissed as moot unless, within ninety (90) days of the effective date of the new rules, they are supplemented to demonstrate their relevance to the new regulatory program.

G. Petitions seeking reconsideration or stay of prior Commission actions: These petitions will remain on file. Their disposition will depend on the particulars of each case.

H. Hearing cases: Cases in which hearings were ordered prior to December 13, 1968, and which were suspended pursuant to paragraph 51 of the December, 1968 *Notice* in Docket 18397, will be disposed of by Hearing Examiners and other decision-making Commission personnel consistent with our action herein.

I. Microwave applications: Applications for authorization in the Cable Television Relay (CAR) Service, Business Radio Service, or Domestic Public Point-to-Point Microwave Radio Service that are pending on March 31, 1972 will be dismissed unless, within ninety (90) days of the effective date of the new rules, they are supplemented to indicate that any necessary application for certificate of compliance, pursuant to §§ 76.11 and 76.13 of the Rules, has been filed. The supplement shall identify the application for certificate by the name of the cable television system, the community and area served or to be served, the date on which the application was filed, and the file number (if available).

115. *Fees.* The revisions in these rules require corresponding changes in the Commission's schedule of fees for cable television (Section 1.1116 of the Rules). In particular, the provisions concerning petitions for experimental operations pursuant to Docket 18397, and petitions for waiver of the top 100 market hearing requirement are now obsolete, and will be deleted. Rulemaking will soon be initiated concerning fees for the certificating process. In order to begin processing applications for certificates of compliance promptly, and because these applications are substantially equivalent to a combination of petitions for special

relief filed pursuant to Section 74.1109 ($25 fee) and notifications pursuant to Section 74.1105 ($10 fee), we have concluded that a filing fee of $35 per application can properly be assessed on an interim basis, pending the outcome of further fee rulemaking. We are amending the fee schedule accordingly. If multiple applications for certificates of compliance are filed by cable systems having a common headend and identical ownership but serving or proposing to serve more than one community, the full fee will be required only for one of the communities; $10 will be required for each of the other communities. This approach follows previous Commission practice with respect to multiple community filings.

116. Fees previously paid in connection with the filing of petitions that must now be supplemented to convert them into applications for certificates will be credited against the application fee, and, on request, refunds of previous fees in excess of the amount now required will be made. Fees paid in connection with the petitions dismissed as moot will also be refunded on request. Any objections to applications for certificates will be treated in the same manner as previous oppositions to petitions for waiver of the top 100 market hearing requirement: no fee will be due.

ACCESS TO AND USE OF NONBROADCAST CHANNELS

117. In its *Notice of Proposed Rulemaking in Docket 18894*, the Commission stated that:

> Cable television offers the technological and economic potential of an economy of abundance.[63]

On the basis of the record now assembled, we believe the time has come for cable television to realize some of that potential within a national communications structure. We recognize that in any matter involving future projections, there are necessarily certain imponderables. These access rules constitute not a complete body of detailed regulations but a basic framework within which we may measure cable's technological promise, assess its role in our nationwide scheme of communications, and learn how to adapt its potential for energetic growth to serve the public.

Channel Capacity

118. Confronted with the need for more outlets for community expression on the one hand and, on the other, with cable television's capacity to provide an abundance of channels, we asserted in our *Second Further Notice of Proposed Rulemaking in Docket 18397–A* the principle that the Commission ". . . must make an effort to ensure the development of sufficient channel availability on all new CATV systems to serve specific recognized functions."[64]

119. Most cable system operators and many others argue against the proposed establishment of a fixed minimum channel capacity. Some comments in Docket 18894 went further and suggested that the en-

[63] 25 FCC 2d 38, 39 (1970).
[64] 24 FCC 2d 580, 587 (1970).

tire matter of channel capacity be left to experimentation.[65] While it is true that many existing cable systems have large channel capacities and seem at least technologically prepared to meet foreseeable demand, there are many systems apparently content to provide only broadcast signal carriage with no plans to expand service capabilities.

120. We envision a future for cable in which the principal services, channel uses, and potential sources of income will be from other than over-the-air signals. We note 40, 50, and 60 channel systems are currently being installed in some communities. The cost difference between building a 12 channel system and a 20 channel system would not appear to be substantial.[66] We urge cable operators and franchising authorities to consider that future demand may significantly exceed current projections, and we put them on notice that it is our intention to insist on the expansion of cable systems to accommodate all reasonable demands. We wish to proceed conservatively, however, to avoid imposing unreasonable economic burdens on cable operators. Accordingly, we will not require a minimum channel capacity in any except the top 100 markets. In these markets, we believe that 20 channel capacity (actual or potential) is the minimum consistent with the public interest. We also require that for each broadcast signal carried, cable systems in these markets provide an additional channel 6MHz in width suitable for transmission of Class II or Class III signals. This seems a reasonable way to obtain necessary minimum channel capacity and yet gear it to particular community needs. We emphasize that the cable operator cannot accept the broadcast signals that will be made available without also accepting the obligation to provide the nonbroadcast bandwidth and the access services described below. The two are integrally linked in the public interest judgment we have made.

Designated Channels

121. Broadcast signals are being used as a basic component in the establishment of cable systems, and it is therefore appropriate that the fundamental goals of a national communications structure be furthered by cable—the opening of new outlets for local expression, the promotion of diversity in television programming, the advancement of educational and instructional television, and increased informational services of local governments. Accordingly, cable television systems will have to provide one dedicated, noncommercial public access channel available without charge at all times on a first-come, first-served nondiscriminatory basis and, without charge during a developmental period, one channel for educational use and another channel for local government use. We have already imposed an obligation on systems with 3,500 or more subscribers to originate programming and are now requiring that the origination channels be specifically designated.

122. *Public Access Channel.* It has long been a Commission objective to foster local service in broadcasting. To this end we have encouraged the growth of UHF television, and have looked to all broad-

[65] See, for instance, the comments of Storer Broadcasting Co.
[66] Testimony of Moses Shapiro on behalf of General Instrument Corp., Vol. 5, p. 982, transcript of hearings before the Commission in Docket 18397–A, March 19, 1971.

cast stations to provide community-oriented programming. We expect no less of cable. In our July 1, 1970 *Notice* we stated:

> The structure and operation of our system of radio and television broadcasting affects, among other things, the sense of "community" of those within the signal area of the station involved. Recently governmental programs have been directed toward increasing citizen involvement in community affairs. Cable television has the potential to be a vehicle to much needed community expression.[67]

We believe there is increasing need for channels for community expression, and the steps we are taking are designed to serve that need. The public access channel will offer a practical opportunity to participate in community dialogue through a mass medium. A system operator will be obliged to provide only use of the channel without charge, but production costs (aside from live studio presentations not exceeding five minutes in length) may be charged to users.

123. *Educational Access Channel.* It is our intention that local educational authorities have access to one designated channel for instructional programming and other educational purposes. Use of the educational channel will be without charge from the time subscriber service is inaugurated until five years after the completion of the cable system's basic trunk line. After this developmental period—designed to encourage innovation in the educational uses of television—we will be in a more informed position to determine in consultation with state and local authorities whether to expand or curtail the free use of channels for such purposes or to continue the developmental period. The potential uses of the educational channel are varied. An important benefit promises to be greater community involvement in school affairs. It is apparent, for instance, that combined with two-way capability, the quality of instructional programming can be greatly enhanced. Similarly, some envision significant advances in the educational field by the linking of computers to cable systems with two-way capability.[68] For the present, we are only requiring that systems provide an educational channel and, as noted below, some return communication capability, and will allow experiments in this field to proceed apace.

124. *Government Access Channel.* The government access channel is designed to give maximum latitude for use by local governments. The suggestions for use range across a broad spectrum and it is premature to establish precise requirements. As with the educational channel, use of the government channel will be free from the time subscriber service is inaugurated until five years after the completion of the cable system's basic trunk line, at which time we will consider whether to expand or curtail such free use or to continue the developmental period.

Leased Access Channels

125. In addition to the designated channels and broadcast channels, cable systems shall make available for leased use the remainder of the required bandwidth and any other available bandwidth (e.g., if a channel carrying broadcast programming is required to be blacked out because of our exclusivity rules or is otherwise not in use, that

[67] *Supra*, note 66, at Pt. II, para. 6.
[68] Comments of the Stanford Cable Television Committee, Institute for Communications Research, in Docket 18397-A.

channel also may be used for leased access purposes). Additionally, to the extent that the public, education, and government access channels are not being used, these channels may also be used for leased operation. But such operations may only be undertaken on the express condition that they are subject to immediate displacement if there is demand to use the channel for the dedicated purpose.

Expansion of Capacity

126. Our basic goal is to encourage cable television use that will lead to constantly expanding channel capacity. Cable systems are therefore required to make additional bandwidth available as the demand arises. There are a number of ways to meet this general objective. Initially, we intend to use the following formula to determine when a new channel must be made operational: whenever all operational channels are in use during 80 percent of the weekdays (Monday–Friday), for 80 percent of the time during any consecutive three-hour period for six weeks running, the system will then have six months in which to make a new channel available. This requirement should encourage use of the system with the knowledge that channel space will always be available, and also encourage the cable operator continually to expand and update his system. On at least one of the leased channels part-time users must be given priority. We plan at a later date to institute a proceeding with a view to assuring that our requirement of capacity expansion is not frustrated through rate manipulation or by any other means. This proceeding will also deal with such open questions as rates charged for leased channel operations.

127. We are aware of the possibility that the formula may impose undue burdens on system operations. If it were necessary to rebuild or add extensive new plant, this could not reasonably be expected within a six-month period. The requirement for activating new capacity within six months is based on our understanding that only relatively modest effort is involved in converting existing potential to actual capacity. These considerations, however, point up the necessity for building now with a potential that takes the future into account. Because this part of our program is a relatively uncharted area, we will make it a matter for continuing regulatory concern.

Two-Way Capacity

128. On review of the comments received and our own engineering estimates, we have decided to require that there be built into cable systems the capacity for return communication on at least a non-voice basis. Such construction is now demonstrably feasible.[69] Two-way communication, even rudimentary in nature, can be useful in a number of ways—for surveys, marketing services, burglar alarm devices, educational feed-back, to name a few.

129. We are not now requiring cable systems to install necessary return communication devices at each subscribed terminal. Such a requirement is premature in this early stage of cable's evolution. It will be sufficient for now that each cable system be constructed with

[69] We note the recent developments in this field by Sterling Manhattan Cable TV in New York City and Telecable Corporation in Overland Park, Kansas.

the potential of eventually providing return communication without having to engage in time-consuming and costly system rebuilding. This requirement will be met if a new system is constructed either with the necessary auxiliary equipment (amplifiers and passive devices) or with equipment that could easily be altered to provide return service. When offered, activation of the return service must always be at the subscriber's option.

Regulations Applicable to Channels Presenting Nonbroadcast Programming

130. We now turn to the question of the regulation of access channels presenting nonbroadcast programming. We believe that such regulation is properly the concern of this Commission. These channels fulfill Communications Act purposes and, in the context of our total program, are integrally bound up with the broadcast signals being carried by cable. It is by no means clear that the viewing public will be able to distinguish between a broadcast program and an access program; rather, the subscriber will simply turn the dial from broadcast to access programming, much as he now selects television fare. Moreover, leased channels will undoubtedly carry interconnected programming via satellite or interstate terrestrial facilities, matters that are clearly within the Commission's jurisdiction. Finally, it is this Commission that must make the decisions as to conditions to be imposed on the operation of pay cable channels, and we have already taken steps in that direction. (See Section 76.225). Federal regulation is thus clearly called for.

131. There remains the issue of whether also to permit state or local regulation of these channels where not inconsistent with federal purposes. We think that in this area a dual form of regulation would be confusing and impracticable. Our objective of allowing a period for experimentation might be jeopardized if, for example, a local entity were to specify more restrictive regulations than we have prescribed. Thus, except for the government channel, local regulation of access channels is precluded. If experience and further proceedings indicate its need or desirability, we can then delineate an appropriate local role.[70]

132. Because of the federal concern, local entities will not be permitted, absent a special showing, to require that channels be assigned for purposes other than those specified above. We stress again that we are entering into an experimental or developmental period. Thus, where the cable operator and franchising authority wish to experiment by providing additional channel capacity for such purposes as public, educational, and government access—on a free basis or at reduced charges—we will entertain petitions and consider the appropriateness of authorizing such experiments, to gain further insight and to guide future courses of action.[71] In communities outside the top 100 markets

[70] Franchise specifications concerning the number of dedicated channels for systems in operation prior to March 31, 1972 will be permitted to continue in effect (Section 76.251 (a)(11)(iv)).

[71] We are aware that bidding contests may result in awards that will unduly burden systems and possibly thwart achievement of our basic goals. We caution franchising authorities against encouraging such contests or making selections based on the barter of extra channels. If abuses arise in this respect, they will be examined in the course of the certificating process or on later petition.

where access channels are not required by the Commission, we will permit local authorities to require access services, so long as they are not in excess of what we require for the major markets.

133. The question of what regulations we should impose at this time is most difficult. Our judgments on how these access services will evolve are at best intuitive. We believe that the best course is to proceed with only minimal regulation in order to obtain experience. We emphasize, therefore, that the regulatory pattern is interim in nature—that we may alter the program as we gain the necessary insights.

134. We are requiring that cable systems promulgate rules to apply to access services, and that these rules be kept on public file at the system's local headquarters and with the Commission. What matters during this experimental period is not form but substance, and we are specifying the guidelines that we believe are appropriate at this time. We believe we have full discretion to act in this fashion.[72]

135. With respect to the public access channel, the rules to be promulgated by the system must specify nondiscriminatory access without charge on a first-come, first-served basis. These rules shall also proscribe for all designated access channels (except the government access channel when it is being used for its designation purpose) the presentation of: any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information and obscene or indecent matter (modeled after the prohibitions in Sections 76.213 and 76.215 respectively). The regulations shall also specify that persons or groups seeking access be identified, and their addresses obtained; this information should be publicly available and must be retained by the system for at least two years. The cable operator must not in any other way censor or exercise program content control of any kind over the material presented on the public access channel.

136. We recognize that open access carries with it certain risks. But some amount of risk is inherent in a democracy committed to fostering "uninhibited, robust, and wide-open" debate on public issues. (*New York Times Co.* v. *Sullivan*, 376 U.S. 254, 270 (1964)). In any event, further regulation in this sensitive area should await experience. For example, we intend to explore whether it would be feasible or desirable to provide a locked switch to cut off the public access or leased channels, should subscribers wish to control channel selection.

137. In short, we recognize that the regulation of public access channels may result in many problems for the cable operator, especially during the break-in period. Effective operational procedures can evolve only from trial and error, and it is probable that systems will have different problems that do not now lend themselves to uniform regulation. We note, for example, the need to decide how applications for access time are to be made, what overall time limitations might be desirable, how copyrighted material will be protected,

[72] See *Philadelphia Television Broadcasting Co.* v. *F.C.C.*, 123 U.S. App. D.C. 298, 359 F. 2d 282 (1966).

how production facilities will be provided, how the public can obtain advance notice of presentations, and so on. All these questions will probably be answered in a number of different ways. We will require that the rules adopted by cable systems in these respects be filed with us and made available to the public. But experimentation appears to be the best way to determine what will be workable for the long run.

138. The cable operator similarly must not censor or exercise program content control of any kind over the material presented on the leased access channels. Specifically, his rules shall provide for nondiscriminatory access on a first-come, first-served basis with the appropriate rate schedule specified. Again, he shall obtain the names and addresses of those leasing the channel, and shall adopt rules proscribing the presentation of: lottery information, obscene or indecent matter; and advertising material not containing sponsorship identification.[73] Finally, in contrast with origination cablecasting rules (Section 76.217), we will not require commercials only at natural breaks on these channels. It is our expectation that there will be experimentation, with some channels used entirely for advertising, some following the pattern of commercial broadcasts, and others that of Section 76.217. We will continue to monitor developments in this area with a view to assuring that the public interest is served, particularly regarding such issues as false and misleading advertising.

139. The regulations we are imposing on systems engaging in cablecast origination are substantially the same as those first issued in the *First Report and Order in Docket 18397*. These regulations (Section 76.201 *et seq.*) include rules on lottery information, advertising, sponsorship identification, etc., and add a new specific proscription of obscenity.

Liability

140. Many cable operators are concerned about potential civil and criminal liability resulting from use of these public and leased access channels. There is little likelihood of the possibility of a criminal suit in a situation where the system has no right of control and thus no specific intent to violate the law. See, e.g., *Lambert* v. *California*, 355 U.S. 225 (1957). The real fears of cable operators seem, in fact, to center on potential libel suits. The possible number and scope of such actions is, however, severely limited. In *Rosenbloom* v. *Metromedia, Inc.*, 403 U.S. 29 (1971), the Court extended the "actual malice" rule of *New York Times Co.* v. *Sullivan*, *supra*,[74] to cover any situation where "the utterance involved concerns a matter of public or general interest." Since most users will presumably air opinions on matters that are of at least as much "public or general interest" as in the *Rosenbloom* case, it seems likely that their speech would come within the "actual malice" rule. It is doubtful that such malice could be imputed to a cable operator who has no control over the given program's content.

141. In the event that some material presented on these nonbroadcast channels were to fall outside the broad scope of the Court's re-

[73] Modeled after the prohibitions in Sections 76.213, 76.215, and 76.221 of the Commission's Rules, respectively.

[74] See also *Curtis Publishing Co.* v. *Butts*, 388 U.S. 130 (1967).

cent decisions such as *Rosenbloom*, this would not necessarily mean that the system is liable. (In this situation, recourse against the programmer would be available.) We have adopted the non-censorship requirement in order to promote free discourse; this is, we believe, valid regulation having "the force of law." While the matter is of course one for resolution by the courts, state law imposing liability on a system that has no control over these channels may unconstitutionally frustrate federal purposes. In any event, if a problem should develop in this respect, it is readily remedied by Congress and, in this connection, we would welcome clarifying legislation.[75]

Production Facilities

142. It is apparent that our goal of creating a low-cost, nondiscriminatory means of access cannot be attained unless members of the public have reasonable production facilities available to them. We expect that many cable systems will have facilities with which to originate programming that will also be available to produce program material for public access. Hopefully, colleges and universities, high schools, recreation departments, churches, unions, and other community groups will have low-cost video-taping equipment for public use. In any event, we are requiring that the cable operator maintain within the franchise area production facilities for use on the public access channel.

143. In this experimental stage, it would be self-defeating to require cable systems to carry access programming and at the same time meet stringent technical standards. Thus, for the present, our technical standards will apply only to Class I channels (those used to distribute broadcast programming—see Section 76.5(z) of the rules). We note specifically that the use of half-inch video tape is a growing and hopeful indication that low-cost recording equipment can and will be made available to the public. While such equipment does not now meet our technical standards for broadcasting, there is promise of its improvement and refinement. Further, since it provides an inexpensive means of program production, we see no reason why technical development of this nature should not be encouraged for use on cable systems.

144. Elaborate suggestions have been made for comprehensive community control plans such as neighborhood origination centers and neighborhood councils to oversee access channels. Here again the Commission will encourage experimentation rather than trying to impose a more formal structure at this time.

145. The access requirements we are imposing differ considerably in scope and purpose from our origination requirement of Section 76.201. Because of the system operator's control over programming of originated material it was necessary to impose such obligations as are involved in the "equal time" and "fairness" doctrines. Such requirements are not being imposed on use of the access channels because these channels are free of operator control and access is guaranteed. But they do remain in effect for designated origination cablecasting channels. Should a cablecast by a candidate for political office on the origination channel prompt the necessity for providing equal time to an opponent,

[75] *Cf. Farmers Educational and Cooperative Union* v. *WDAY*, 360 U.S. 525 (1959).

it must be provided on the origination channel. In this situation, the opponent's appearance on an access channel will not suffice. Similarly, should a controversial originated program raise a "fairness" issue, any countering views must also be presented on the origination channel.

146. The suggestion has been made that cable television systems be prohibited from originating their own programming and be restricted entirely to a common carrier role. We have considered these possibilities but feel that it would be premature to adopt either at this time. (See *Notice* in Docket 18397, 15 FCC 2d 417 at para. 26 (1968)). At this stage in the development of the cable industry, it is the system operator who has the greatest incentive to produce originated material attractive to existing and potential subscribers. We have tried to encourage this origination both through our origination rules (*First Report and Order in Docket 18397*, 20 FCC 2d 201 (1969)) and by structuring the broadcast signal carriage rules to stimulate the development of non-broadcast services. At the same time, we have recognized that during this developmental stage we should not adopt rules that constrain experimentation and innovation in the services that cable systems provide but, rather, that we should seek to keep our future options open. When cable penetration reaches high levels and demand increases for leased channel operations, we will revisit this matter. For now, we remain of the view that the most appropriate mix for the orderly development of cable and for encouraging the maximization of its potential for public benefit is one that embraces ". . . a multi-purpose CATV operation combining carriage of broadcast signals with program origination and common carrier service . . ." (*First Report and Order in Docket 18397*, *supra*, para. 3). The rules adopted here are designed to accomplish that.

Applicability

147. These access rules will be applicable to all new systems that become operational after March 31, 1972 in the top 100 television markets. Currently operating systems in those markets will have five years to comply fully with this section. We focus here on the top 100 markets because we have selected these markets as the recipients of certain benefits in order to stimulate cable growth. But, correspondingly, that growth should be accompanied by access obligations if the public is to receive the full benefits of this program. Further, cities in the top 100 markets have, as a general rule, more diverse minority groups (ethnic, racial, economic, or age) who are most greatly in need of both an opportunity to express their views and a more efficient method by which they can be apprised of governmental actions and educational opportunities. To the extent that the excess requirements pose problems for systems operating in small communities in major markets, such systems are free to meet their obligations through joint building and related programs with cable operators in the larger core areas.

148. If these requirements should impose an undue burden on some isolated system, that is a matter to be dealt with in a waiver request, with an appropriate detailed showing. While we encourage systems in markets below the top 100 to provide access channels, we are not

at this time requiring them to do so. We will permit local franchising authorities in such areas to require systems to provide access service, but to no greater extent than we have specified for systems in the top markets. In that event, our access rules would be applicable.

TECHNICAL STANDARDS

149. In our June 24, 1970 *Notice of Proposed Rulemaking in Docket 18894*, we proposed technical standards for the operation of cable television systems. Comments were received from diverse sources, including the National Cable Television Association, the consulting firm of Hammett and Edison, the Association of Maximum Service Telecasters, Inc., Archer S. Taylor, Vice President of the engineering consulting firm, Malarkey, Taylor and Associates, Inc., and many others. All comments were reviewed and we are adopting a set of technical standards that we believe will provide much needed uniformity on a nationwide basis yet still allow sufficient flexibility for further technical change.

Definitions (Sec. 76.5)

150. It is our ultimate intention to provide appropriate technical standards for the various kinds of signals that we expect cable television systems will offer their subscribers. At this moment there is need for standards governing the carriage of standard television signals that are picked up off the air. We expect soon to need technical standards—in some measure possibly different—for carriage of cablecast programs. The burgeoning use of two-way or "return" communications will require the formulation of additional technical regulations in order to insure protection to channels used for television or other communications. Accordingly, at this time, we are adopting definitions for four categories of cable channels. These may be modified in the future, but at present we view them as a useful framework for administering the multi-faceted development of cable distribution systems.

Class I cable channel. This definition is intended to designate those cable channels devoted to delivering standard broadcast television signals picked up off the air at the headend or delivered to the cable network by microwave or provided by direct connection to a local television broadcast station. Class I cable channels are subject to the technical standards adopted herein.

Class II cable channel. This is intended to designate those channels used for the delivery of cablecast programming. Technical standards are not now being provided for these channels. Class II cable channels are those used for television signals not obtained from television broadcast stations but that are intended to display pictures on subscriber television receivers without the use of decoding devices. Channels carrying television pictures purposely encoded or processed to permit reception by only selected subscribers are not included in this category.

Class III cable channel. In addition to television pictures, cable systems are likely to deliver to subscribers other forms of communication. We recognize the potential for a wide diversity of communications, some of which will require terminal equipment in subcriber homes.

Some of these involve analog signals; others make use of digital signals. Not all require a full 6 MHz of bandwidth. Class III cable channel uses might include: encoded television signals which require special decoding equipment at the subscriber terminal, FM or AM broadcast signals, and facsimile and printed message material. Obviously, no single set of technical standards can embrace so many differing kinds of signals. We are not proposing standards for Class III cable channels at this time, but as the need becomes apparent, appropriate standards will be provided.

Class IV cable channel. This class will apply to "return" or "response" channels. At this time plans for use of those channels envision a relatively narrow band of frequencies that will be used to return limited amounts of information from subscriber to control point. Although it is too early to provide technical standards for such communications, it is expected that standards will be required.

Channel frequency response. This definition seeks to promote a common understanding that the frequency response requirements are those obtaining at subscriber terminals. We are not requiring frequency response standards for other points in the system or to other than Class I channels.

Subscriber terminal. This is defined as the point of interface between the facilities of the cable system and the receiving equipment normally the property of the subscriber. Thus, matching transformers, baluns, converters, or special amplifiers provided by the cable company are examples of facilities considered to be located on the system side of the subscriber terminal. Cable extensions that serve other premises and are not owned by the subscriber are considered the responsibility of the system.

Performance Tests (Sec. 76.601)

151. This section sets forth the responsibility of the cable system operator to make such tests and measurements as are necessary to offer reasonable assurance that the system performance is continuously satisfactory. The comments generally recognized the necessity of requiring some adequate measurement and monitoring schedule, although it was pointed out that the system subscribers are quick to report gross deficiencies in service. Our requirement is intended to reduce the incidence of malfunction by encouraging the system to institute procedures for regularly checking its operation. Many advised that requiring performance measurements at only three vaguely defined points would fall short of rigorously testing the system. Consideration has been given to requiring measurements at more than three points in order to insure "representative" sampling of system performance. But our view is that this requirement is not intended to establish that each subscriber will receive service in accordance with the standards—that can come only with a measurement at each subscriber terminal. The performance check is, rather, assurance to the operator and to the Commission (should the performance be questioned) that the signal path from headend to check point is capable of conforming to the standards. We are therefore retaining the proposed requirement for three measurement points. Many systems, as a matter of good practice, will make

routine observations at more than three points. The ultimate requirement, in any event, is that the technical standards must be met at each subscriber terminal.

152. Our aim is not to generate marginally useful measurement data for ourselves, but to encourage each cable operator to engage in systematic performance checking and preventive maintenance. Thus, we agree with those comments suggesting that the annual performance data not be filed with the Commission but be kept with the system where it will be available for inspection. The information required by our rule is minimal and should be readily available from every system. It will be useful in resolving service complaints and as reference data for identifying those cable television channels to which our technical standards apply and on which our required measurements are to be made.

153. It has been suggested that the cost of measuring equipment and the costs of hiring consultants to make the necessary measurements would be prohibitively high for small systems. While we recognize that compliance will involve some costs, we do not choose to sacrifice the public benefits derived from good technical performance. We have, therefore, carefully drawn our technical standards so that measuring equipment of reasonable cost can be used.

Standards (*Sec. 76.605*)

154. Based on many persuasive comments, we are adopting certain revisions of our proposed rules. Some suggested that the phrase "picked up off-air" be eliminated from the opening sentence of subsection (a). Because we are adopting standards only for channels devoted to broadcast television programming, we are amending the disputed phrase. It is intended that the standards apply only to Class I channels—those carrying television broadcast signals picked up off the air, either at the cable system headend or relayed by CARS microwave from an off-air-pickup, or obtained by direct connection at a television station.

155. In (a) (1) we provide that the channels delivered to subscribers conform to the capability of the television broadcast receiver. This is not intended to limit the use of other channel arrangements within the system. We are also permitting, on adequate showing, the use of such arrangements as central switching systems similar to those identified with Rediffusion.

156. We have relaxed the frequency tolerance standard originally proposed. Under the rule, systems which supply subscribers with an individual converter, tuner, or similar channel-selection device are required to meet a tolerance on the visual signal of only ±250 KHz. The proposed ±25 KHz tolerance is applicable to other systems. We are retaining the aural-visual separation tolerance as proposed.

157. With respect to visual signal level, we are requiring, in (a) (4), delivery of signals so that at no time is the signal on any cable television channel lower than the equivalent of 0 dBmV (across 75 ohms). We intended in our proposals to impose a limit on the difference in level permissible between any two adjacent cable channels (channels 4 to 5 and 6 to 7 excepted), and also a limit on the maximum permis-

sible difference between any other channels in the system. The ultimate purposes of such specifications are to insure an adequate signal on all channels, to prevent annoying visible differences of signal strength between channels, and to promote an optimum balance between signal level equality in distribution amplifiers and at subscriber terminals. These considerations and the comments on this subject have prompted us to adopt the signal level requirements set out in (a) (4) and (5). No specific maximum level is adopted. Instead, we are adopting a general rule which requires, in effect, that the signal level on any channel not exceed the level at which overload problems in the customer's receiver begin to occur.

158. After consideration of the comments directed to (a) (6) through (8), we have decided to retain these standards essentially as proposed, rejecting for the present the concern expressed by some that the 5% permissible amplitude for power frequency hum components is too high. In further proceedings we expect to re-examine this matter and may then decide from the information before us that a reduction on the maximum limit is necessary.

159. We have revised the signal-interference ratios proposed in (a) (9) and (a) (10). Several parties pointed out that, as proposed, interference caused by undesired reception of a properly offset co-channel station would have to be reduced to a 46dB ratio. However, off-air viewers are protected only to a ratio varying between 28 and 36dB. These co-channel ratios involve certain assumptions about the percentage of audience that finds them acceptable and about the absolute value of the desired signals involved. Considering the superior quality of service every subscriber to cable should receive, we believe that some relaxation of the 46dB co-channel ratio for offset signals may be appropriate, but not beyond 36dB.

160. Most parties suggested that the value of terminal isolation we proposed in (a) (11) was too high and instead, recommended values in the range between 15 and 20 decibles. Further study suggests that a required terminal isolation of 18 decibels should be adequate to protect each subscriber from the effects of expected levels of spurious signals or impedance variations introduced at other subscriber terminals. We are amending our proposed rule accordingly.

161. We consider it appropriate to transfer (with some modification) from Part 15 to Part 76 our existing limits on radiation from cable systems. The modifications we proposed—dropping the category of "sparsely inhabited areas" and tightening the radiation limit between 132 and 216 MHz—met general approval. They are now set forth in Section 76.605(a) (12).

162. Special notice is taken of a letter dated February 24, 1971, addressed to our Acting Chief Engineer from the Office of Telecommunications Policy (OTP), expressing concern about possible interference to Air Traffic Control communications during periods of "CATV equipment malfunction." The frequency bands that OTP suggest might be excluded from use by cable systems include:

108 to 136 MHz
162 to 174 MHz
225 to 400 MHz

Alternative suggestions include imposing power limitation on cable signals within the system, interleaving of channel assignments, and the installation of automatic shut-off devices that would remove power from amplifiers if malfunctions in the system might cause excessive radiation. While we recognize the desirability of eliminating the possibility of interference to air-ground communications, we are unable to share the OTP view of the hazard posed by possible cable malfunctions. After more than 20 years of cable operation, interference by cable radiation to aircraft communications has not been documented. We note also that OTP is not objecting to radiation from television receivers in the hands of the public. These, when tuned to channels 4 through 13, may radiate signals within the bands OTP wishes to proscribe for cable systems. Television receiver oscillators may radiate fields as strong or stronger than those expected from cable systems. Spurious radiation from television transmitters also may occur in the aviation bands and, in our view, present a greater interference potential than cable systems. Because public benefits lie in encouraging full use of available radio spectrum within the cable, we are reluctant to hamper cable operations by so restricting the use of frequency space, particularly when that restriction would be based on a rather remote interference possibility. Accordingly, we are declining to adopt the frequency restrictions proposed by the Office of Telecommunications Policy.

Measurements (*Sec. 76.609*)

163. Comments submitted with respect to this portion of our proposed rules reflected either a concern that the measuring techniques we proposed were inadequately detailed, or that other methods should be employed. Additionally, our proposal to include CARS microwave relays in the measurement caused concern. Our intention was to set forth a number of measurement procedures that we consider suitable for determining various aspects of system performance. Because cable systems operate under a variety of circumstances, we are adopting a flexible approach to determining system performance. As indicated in the rules, we are permitting the use of whatever alternative measuring methods can be fully justified. This should not be construed as permitting the use of rough-and-ready procedures that result in equivocal measurement data. We will insist upon a bonafide and authoritative attempt to measure system performance, and where the resulting data is inadequate, we may require remeasurement using specified equipment or procedures.

164. Some objected to our proposal to include CARS microwave relay circuits within the measurement loop and not to include similar facilities operated by common carriers. Others, noting this difference, suggested that we reserve the formulation of standards for microwave delivery for later rule making. We have made the distinction on the assumption that CAR facilities are under the direct control or supervision of the cable system; common carrier facilities are not. With respect to the CAR service, the cable operator is able to effect scheduling of the microwave facilities. When the microwave relay is operated by a common carrier, however, there is considerable difficulty in arrang-

ing measurement procedures. In the latter case, we are leaving it to the cable operator to insure contractually that the signals delivered to his system are adequate to permit him to conform to our technical requirements.

165. Comments directed to specific measurement procedures noted that we had failed to provide that, when antennas or other inputs are disconnected for system performance measurements, substitute carriers or pilot signals in some instances must be inserted in order to maintain proper operation of the rest of the system. In paragraphs (a) and (b) we now reflect this concern. We emphasize that measurement of a performance parameter in any cable television channel must be made under conditions that approximate those existing under normal operations. Signals should be present on all other channels on which signals normally are delivered. They should be of normal amplitude. Automatic gain controls or manually controlled gains should be normal.

166. With respect to measuring noise in a cable channel, it was suggested that the NCTA standard for noise measurement should be required. We agree. Thus, we are amending the language of Section 76.609(e) to recognize that method. We are also taking note of the usual circumstances in which the variation of noise level over the width of a cable television channel is small, and are providing language to permit a "spot" measurement of noise. At the same time, we note a suggestion filed by Hammett and Edison to use an oscilloscope in a rapid sweep, single-trace mode to permit an acceptable visual observation of the noise voltage after demodulation. The peak-to-peak amplitude of the noise is directed compared to the peak-to-peak amplitude of the desired signal, to which ratio an appropriate peak-to-rms correction is added. The method is attractively simple and direct and, if performed with adequate precautions, appears to be acceptable.

167. Other comments questioned the appropriateness or necessity of various methods we had proposed. For example, the requirement that the measurement of noise in a channel must include the CARS microwave relay (if any) within the measurement loop poses the problem of measuring noise in the face of the channel carrier. This circumstance appears to dictate the use of a comparatively narrow band noise measuring technique. However, whatever the measurement procedure used, it will be subject to review as to accuracy and appropriateness.

168. As an exception to the approach used in Section 76.609 (e), (f), and (g), we intend that the measurement procedures outlined in (h) of that section be followed strictly or, if special circumstances necessitate divergence from established procedures, the alternate procedures be thoroughly justified. The rule for measuring radiation from a cable system is essentially that which was established in Part 15 of our rules. The measuring procedure has been tested over a number of years. We see no indication that substantial change in the procedure is necessary.

Responsibility for Interference (*Sec. 76.617*)

169. We have noted the concern that a cable system would be held responsible for interfering signals radiated from television receivers

connected to the system. We have long had a rule (Section 15.82) which places on the operator of a radio (television) receiver the responsibility for eliminating interference caused by that receiver. Section 76.617 is intended to place a similar restriction on the cable operator who must insure that his system does not distribute or reradiate an interfering signal generated in his customer's receiver, even if the latter generates a signal in excess of permissible limits. In our view, the obvious remedy when a receiver-generated interfering signal is found in the cable distribution system is to suspend service to the customer until the receiver is repaired.

Additional Technical Problems

170. We are of the view that the technical standards we have adopted are minimal and should be augmented as soon as possible with standards covering other technical areas such as:

Standards for a cable television receiver (a television receiver specifically designed for use with a cable television system.)
Frequency allocations within the cable network.
Standards for Class II, III and IV channels.
Standards on envelope delay, differential gain, and phase.
Standards on permissible cross-modulation, "ghosting", hum.
Standards for cable carriage of aural broadcast programming.

We intend to initiate a new proceeding to deal with these matters. But we see the need for tapping a larger body of expertise in order to develop more technical and economic information than is ordinarily available through the rulemaking process. Therefore, we will also establish a task force of experts to advise us in specifically designated areas.

FEDERAL-STATE/LOCAL RELATIONSHIPS

171. In our *Notice of Proposed Rule Making in Docket 18892*[76] we observed that "actions have been taken in the cable field without any overall plan as to the Federal-local relationship." This has resulted in a patchwork of disparate approaches affecting the development of cable television. While the Commission was pursuing a program to promote national cable policy, state and local governments were formulating policies to reflect local needs and desires. In many respects this dual approach worked well. To a growing extent, however, the rapid expansion of the cable television industry has led to overlapping and sometimes incompatible regulations. This resulted in confusion, and we faced an obvious need to clarify the respective federal, state, and local regulatory roles. Three possible approaches were outlined in Docket 18892:

(a) Federal licensing of all cable television systems.

(b) Maintenance of the current federal regulatory program enforced by Section 312(b) proceedings.

(c) Federal regulation of some aspects, with local regulation of others under federal prescription of standards for local jurisdictions.

[76] 22 FCC 2d 50 (1970).

As we noted in Docket 18892:

> This last approach recognizes that although practical considerations argue in favor of leaving important aspects of cable regulation to State and local government, cable is nonetheless an integral part of the inter-State movement of electronic communications. *United States* v. *Southwestern Cable Co.*, 392 U.S. 157 (1968). In these circumstances, it is appropriate for this agency to establish uniform or minimum standards to which local actions must conform.

We requested comments on the form such "uniform or minimum standards" might take. The filings differed in their specific proposals for resolution of the questions raised in our *Notice*, thus indicating the wide diversity of opinion in this complex area of regulation.

Analysis of Comments

172. *Broadcast Interests.* To varying degrees, most broadcast interests favored a regulatory approach involving a distribution of authority between local government and the Commission. Views on the extent to which the Commission should impose guidelines for state or local action varied considerably, however. For instance, Storer Broadcasting Company suggested that the Commission establish guidelines for character qualifications of franchise applicants. Others argued that the Commission should not establish guidelines for any aspect of the franchising process. Some favored Commission guidance for the regulation of subscriber rates, while most urged that this element of regulation might better be left to local authorities. The National Association of Broadcasters proposed that the Commission impose minimum standards in most aspects of regulation, allowing local governments to impose additional requirements not inconsistent with the federal standards. American Broadcasting Company, which atypically argued in favor of federal licensing, still agreed that such matters as franchising and subscriber rates be left to local control. In general, broadcast interest did not favor the proposed two percent limitation on franchise fees, arguing that the Commission had provided no adequate basis for such a limitaton. Westinghouse Broadcasting Company thought the two percent figure acceptable as a starting point but would have permitted adjustment upward on appropriate showing. Those opposing our two percent proposal ventured no alternative figure, but most agreed that whatever the fee, it should be no more than is necessary to finance a local regulatory program.

173. *Cable Television Interests.* These parties uniformly were of the view that the present three-tiered regulatory approach is unsatisfactory. Pointing to the confusion and waste caused by such an approach, and arguing that on many issues local and state governments lack the expertise to oversee cable's development, they all favored some degree of federal pre-emption. The National Cable Television Association urged that the Commission entirely pre-empt this field and limit local involvement to the selection among franchise applicants. Other groups such as Community Tele-Communications, Inc. agreed with this position and simply asserted that federal licensing would be best. Recognizing, however, that such an approach might be burdensome, they supported a more flexible course whereby the Commission, as suggested in our third alternative, would pre-empt some areas, establish minimum standards for state and local au-

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thorities to follow in others, and leave purely local matters to the appropriate local entity. At the other end of the spectrum, Time-Life Broadcast, Inc. believed that federal licensing would not be effective and suggested that the Commission adopt a dual-jurisdictional approach, establishing minimum guidelines for technical performance, legal and character qualifications and any other matters calling for regional or nationwide uniformity. Time-Life would leave the franchising function to local authorities who can best deal with such questions as local programming needs, compliance with local laws, rights of inspection, insurance, indemnity, performance bonds, grounds for revocation, property encumbrances, and the like.

174. Cable interests were clearly opposed to state regulation. They noted in particular that regulation by public utility commissions results in unconscionable delay and confusion. Their filings were also uniformly opposed to state rate regulation. Some acknowledged the need for some rate regulation but disagreed over whether this should more properly be a federal or local function. The General Electric Company, for instance, maintained that rate regulations should be left to the local franchising entity because it can best gauge the requirements of its particular community. Comtel, on the other hand, argued for federal standards for rate schedules. The National Cable Television Association said no rate regulations of any kind are needed. Most parties agreed that our proposed two percent franchise fee limitation was a reasonable point of departure. General Electric thought that the figure might be too low but that it was a matter best dealt with by the Commission. A joint filing by several multiple system operators called for the abolition of all franchise fees based on gross receipts, including those in existing franchise agreements. They argued that payment of anything more than reasonable regulatory costs would impede the growth of the industry. The National Cable Television Association favored a federally-established two percent maximum franchise fee.

175. *State and Local Governmental Interests.* These interests unanimously opposed federal pre-emption of cable regulation. It was maintained that the Commission, with its limited staff and uniform approach, cannot effectively regulate thousands of cable systems operating in communities across the country. Such regulation should be left to local governments which are responsible for the utilization of their physical facilities, familiar with local needs, and necessarily more responsive to community desires. Many local governments went further and argued that the Commission lacks the jurisdiction to regulate any local aspect of cable. Others, however, admitted that federally imposed technical standards would be desirable and some favored the establishment of minimum federal guidelines, but only to the extent that local authority would not be diminished. The National Institute of Municipal Law Officers (NIMLO) urged a general approach similar to that suggested by the Commission: federal regulation of some aspects of cable, plus local regulation of other aspects under prescribed federal standards. State and local government interests uniformly opposed the two percent limitation on franchise fees. Although a few thought that some higher figure might be appropriate, most favored no federal limitation at all.

176. *Other Comments.* As in the case of cable and broadcast interests, most others recognized the need for some form of dual regulation, with the Commission issuing standards and guidelines for local franchising authorities to follow. They also acknowledged that, while federal licensing might be the best solution, it is impractical and burdensome. The Ford Foundation stated its preference for nonprofit ownership, timely construction rules, reasonable duration of franchises, a requirement that construction extend to all areas within a franchise, the provision of local community program channels, and limitations on franchise fees. The Corporation for Public Broadcasting was concerned about the franchising process and urged that the Commission assure that adequate notice is given and all groups allowed to participate. Black Efforts for Soul in Television (BEST) supported the dual regulatory approach and particularly noted the need for equal employment opportunities in this field. The American Civil Liberties Union urged that sufficient common carrier capacity for use at reasonable rates and terms be required but opposed federal pre-emption, favoring regional and local experimentation instead. American Telephone and Telegraph Company said that the Commission should regulate only the interstate aspects of cable. While this overview is not exhaustive, it does give a general picture of the diverse and helpful suggestions we have had available to us in this proceeding.

Commission's Regulatory Program

177. *Dual Jurisdiction.* The comments advance persuasive arguments against federal licensing. We agree that conventional licensing would place an unmanageable burden on the Commission. Moreover, local governments are inescapably involved in the process because cable makes use of streets and ways and because local authorities are able to bring a special expertness to such matters, for example, as how best to parcel large urban areas into cable districts. Local authorities are also in better position to follow up on service complaints. Under the circumstances, a deliberately structured dualism is indicated; the industry seems uniquely suited to this kind of creative federalism. We are also persuaded that because of the limited resources of states and municipalities and our own obligation to insure an efficient communications service with adequate facilities at reasonable charges, we must set at least minimum standards for franchises issued by local authorities. These standards relate to such matters as the franchise selection process, construction deadlines, duration of the franchise, rates and rate changes, the handling of service complaints, and the reasonableness of of franchise fees. The standards will be administered in the certificating process.

178. *Franchising.* We are requiring that before a cable system commences operation with broadcast signals, it must obtain a certificate of compliance from the Commission. The application for such a certificate must contain (Section 76.31(a)(1)) a copy of the franchise and a detailed statement showing that the franchising authority has considered in a public proceeding the system operator's legal, character, financial, technical, and other qualifications, and the adequacy and feasibility of construction arrangements. We expect that franchising

authorities will publicly invite applications, that all applications will be placed on public file, that notice of such filings will be given, that where appropriate a public hearing will be held to afford all interested persons an opportunity to testify on the qualifications of the applicants, and that the franchising authority will issue a public report setting forth the basis for its action. Such public participation in the franchising process is necessary to assure that the needs and desires of all segments of the community are carefully considered.

179. *Applicant Qualifications.* We are authorizing the use of broadcast signals in order to obtain new benefits for the public. No such benefits will be forthcoming if the cable television applicant is not fully qualified to operate. The character of an applicant, for example, is of particular importance especially because he may be engaged in program origination. Some governmental body must insure that a franchise applicant's qualifications are consistent with the public interest, and we believe this matter is appropriate for local determination.

180. *Franchise Area.* Another matter uniquely within the competence of local authorities is the delineation of franchise areas. We emphasize that provision must be made for cable service to develop equitably and reasonably in all parts of the community. A plan that would bring cable only to the more affluent parts of a city, ignoring the poorer areas, simply could not stand. No broadcast signals would be authorized under such circumstances. While it is obvious that a franchisee cannot build everywhere at once within a designated franchise area, provision must be made that he develop service reasonably and equitably. There are a variety of ways to divide up communities; the matter is one for local judgment.

181. *Construction.* We are establishing in Section 76.31(a)(2) general timetables for construction and operation of systems to insure that franchises do not lie fallow or become the subject of trafficking. Specifically, we are providing that the franchise require the cable system to accomplish significant construction within one year after the certificate of compliance is issued, and that thereafter energized trunk cable be extended to a substantial percentage of the franchise area each year, the percentage to be determined by the franchising authority. As a general proposition, we believe that energized trunk cable should be extended to at least 20 percent of the franchise area per year, with the extension to begin within one year after the Commission issues its certificate of compliance. But we have not established 20 percent as an inflexible figure, recognizing that local circumstances may vary.[77]

182. *Franchise Duration.* We are requiring in Section 76.31(a)(3) that franchising authorities place reasonable limits on the duration of franchises. Long terms have generally been found unsatisfactory by state and local regulatory authorities,[78] and are an invitation to obso-

[77] Some municipalities may require expansion at a greater rate. The New York City contract, for example, requires that a cable television franchisee extend trunk cable to its whole franchise area within four years from the grant of the franchise. This four year period represents an increase from the two to three year period originally recommended by the Mayor's Advisory Task Force on CATV and Telecommunications, *Report on Cable Television and Cable Communications in New York City* (1968). Similar limitations appear to have been imposed throughout most of New York State. W. Jones, *Regulation of Cable Television by the State of New York*, 134–35 (1970).

[78] E. Clemens, *Economics and Public Utilities* (N.Y.C.: Appleton-Century-Crofts, 1950) 75–76.

lescence in light of the momentum of cable technology.[79] We believe that in most cases a franchise should not exceed 15 years and that renewal periods be of reasonable duration. We recognize that decisions of local franchising authorities may vary in particular circumstances. For instance, an applicant's proposal to wire innercity areas without charge or at reduced rates might call for a longer franchise. On the other hand, we note that there is some support for franchise periods of less than 15 years.[80]

183. *Subscriber Rates.* In Section 76.31(a)(4) we are permitting local authorities to regulate rates for services regularly furnished to all subscribers. The appropriate standard here is the maintenance of rates that are fair to the system and to the subscribing public—a matter that will turn on the facts of each particular case (after appropriate public proceedings affording due process) and the accumulated experience of other cable communities.

184. *Service Complaints.* Section 76.31(a)(5) requires that franchises provide for the investigation and resolution of local service complaints and also that the franchisee maintain a local business office or agent for these purposes. We note that some local bodies are already considering detailed plans along these general lines.

185. *Franchise Fee.* While we have decided against adopting a two percent limitation on franchise fees, we believe some provision is necessary to insure reasonableness in this respect. First, many local authorities appear to have extracted high franchise fees more for revenue-raising than for regulatory purposes. Most fees are about five or six percent, but some have been known to run as high as 36 percent. The ultimate effect of any revenue-raising fee is to levy an indirect and regressive tax on cable subscribers. Second, and of great importance to the Commission, high local franchise fees may burden cable television to the extent that it will be unable to carry out its part in our national communications policy.[81] Finally, cable systems are subject to substantial obligations under our new rules and may soon be subject to congressionally-imposed copyright payments. We are seeking to strike a balance that permits the achievement of federal goals and at the same time allows adequate revenues to defray the costs of local regulation.

186. The Commission imposes an annual fee of 30 cents per subscriber to help finance its own cable regulatory program. Assuming average annual revenues to the cable system of 60 dollars per sub-

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[79] R. Posner, *Cable Television: The Problem of Local Monopoly* 22–23 (1970), prepared for the Ford Foundation, Memorandum RM–6309–FF.

[80] At one extreme, two commentators have proposed three-year franchise periods. R. Posner, id. at 26; Better Broadcasting Council, *A Model Ordinance for Cable Television for the City of Chicago* § 2.16 (1970). An Illinois bill would have restricted franchises to five years. Illinois General Assembly, S. 169, § 6 (1971). And although the franchises ultimately granted by New York City were for 20 years, ten years had been initially recommended, and the experimental initial grant was only two years. Mayor's Advisory Task Force on CATV and Telecommunications, *Report on Cable Television and Cable Communications in New York City* (1968); Bureau of Franchises, *Report to the Board of Estimate Relating to Community Antenna Television and to the Petitions of Eight Applicants for the Consent of the City of New York to Install and Operate CATV Systems* (1965).

[81] We have from time to time stated our concern with the threat of other inhibiting factors. Cable television is also involved, for example, in a dispute over utility pole attachment rates and faces the burdening claims of the telephone and electric power industries that rental charges be increased. We are currently inquiring into pole rental practices (Docket 16928) and expect to address the question of what regulatory controls may appropriately be invoked.

scriber, the Commission's fee amounts to one-half of one percent of a system's gross receipt. The regulatory program to be carried out by local entities is different in scope and may vary from jurisdiction to jurisdiction. It is our judgment that maximum franchise fees should be between three and five percent of gross subscriber revenues. But we believe it more appropriate to specify this percentage range as a general standard, for specific local application. When the fee is in excess of three percent (including all forms of consideration, such as initial lump sum payments), the franchising authority is required to submit a showing that the specified fee is appropriate in light of the planned local regulatory program, and the franchisee must demonstrate that the fee will not interfere with its ability to meet the obligations imposed by our rules.

187. *Grandfathering.* The grandfathering provisions of our rules with respect to franchise standards seek to achieve a large measure of flexibility. An existing cable system will be required to certify within five years of the effective date of these rules or on renewal of its franchise, whichever comes first, that its franchise meets the requirements of the rules. This deferral should relieve both cable systems and local authorities of whatever minor dislocations our rules might otherwise cause.

188. *Advisory Committee.* We believe that we have provided a useful framework for the proper allocation of responsibility among the various levels of government. But much remains to be done as the industry evolves and experience accumulates. Recognizing that the rules are complex and break new ground, we are prepared to provide assistance, through our Cable Television Bureau, to all state and local governments requesting aid. We also intend to issue an explanatory handbook on cable television regulations. Further, because we expect significant development in cable television as a result of our action today, the Commission will seek the advice of a special committee composed of representatives of federal, state, and local governments, the cable industry, and public interest groups. This committee will aid the Commission as it attempts to define an appropriate allocation of responsibilities in cable regulation.

CONCLUSION

189. Cable television is an emerging technology that promises a communications revolution. Inevitably, our regulatory pattern must evolve as cable evolves—and no one can say what the precise dimensions will be. This Report and Order represents the amount and the substance of regulation that we believe is essential, at this stage, for the orderly development of the industry. We have taken long overdue first steps after more than three years of exhaustive inquiry.

190. The rules will be effective March 31, 1972. Out of an abundance of caution, we are delaying the date beyond the 30 days ordinarily required so that we may have before us any petitions for reconsideration prior to the rules becoming operative. But for more than three years we have been gathering data, soliciting views, hearing argument, evaluating studies, examining alternatives, authorizing experi-

ments—turning finally to public panel discussions unique in communications rule making—and, in this effort, have necessarily postponed the substantial public benefits that cable promises. In these circumstances, we do not foresee that there can be any case for further delay.

191. Authority for adoption of these rules is contained in Sections 2, 3, 4 (i) and (j), 301, 303, 307, 308, and 309 of the Communications Act of 1934, as amended. We reaffirm our view that cable systems are neither broadcasters nor common carriers within the meaning of the Communications Act. Rather, cable is a hybrid that requires identification and regulation as a separate force in communications.

Accordingly, IT IS ORDERED, That effective March 31, 1972 Parts 1, 15, 21, 74, and 91 of the Commission's Rules and Regulations ARE AMENDED as set forth in the attached Appendix A, and that new Parts 76 (Cable Television Service) and 78 (Cable Television Relay Service) of the Commission's Rules and Regulations ARE ADDED as set forth in the same Appendix.

IT IS FURTHER ORDERED, That the proceedings in Dockets 18397, 18397-A, 18373, 18892, and 18894 ARE TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE, *Secretary.*

APPENDIX A

Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

A. PART 1—PRACTICE AND PROCEDURE

1. In § 1.1116, the headnote and paragraphs (a) and (c) are revised to read as follows:

§ 1.1116 *Schedule of fees for Cable Television and Cable Television Relay Services.*

(a) Applications and petitions filed in the Cable Television and Cable Television Relay Services shall be accompanied by the fees prescribed below:

Applications in the Cable Television Relay (CAR) Service:	
For a construction permit	$50
For a license or renewal	15
For a modification of construction permit or license	15
Applications for certificates of compliance, pursuant to § 76.11	35

NOTE.—If multiple applications for certificate of compliance are filed by cable television systems having a common headend and identical ownership but serving or proposing to serve more than one community, the full $35 fee will be required only for one of the communities; $10 will be required for each of the other communities.

Petitions for special relief, pursuant to § 76.7	25

* * * * * * *

(c) Fees are not required in the following instances: (1) Petition for special relief filed pursuant to § 76.7 by a noncommercial educational broadcast station.

B. PART 15—RADIO FREQUENCY DEVICES

§ 15.4 [Amended.]

1. In § 15.4, paragraph (e) is deleted.

§§ 15.161–15.165 [Deleted.]

2. Subpart D of Part 15 (§§ 15.161–15.165) is deleted.

C. PART 21—DOMESTIC PUBLIC RADIO SERVICES (OTHER THAN MARITIME MOBILE)

1. In § 21.713, the headnote and text are revised to read as follows:

§ 21.713 *Applications for authorizations involving relay of television signals to cable television systems.*

An application in this service for authorization to establish new facilities or to modify existing facilities to be used to relay television signals to cable television systems shall contain a statement by the applicant that, to the best of his knowledge, each cable television system to be served has, on or before the filing date of the application, filed any necessary application for certificate of compliance, pursuant to §§ 76.11 and 76.13 of this chapter. Such statement by the applicant shall identify the application for certificate of compliance by the name of the cable television system for which the certificate is sought, the community and area served or to be served, the date on which the application was filed, and the file number (if available).

D. PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST, AND OTHER PROGRAM DISTRIBUTIONAL SERVICES

§§ 74.1001–74.1083 [Deleted.]

1. Subpart J of Part 74 (§§ 74.1001–74.1083) is deleted.

§§ 74.1101–74.1131 [Deleted.]

2. Subpart K of Part 74 (§§ 74.1101–74.1131) is deleted.

E. PART 76—CABLE TELEVISION SERVICE

Is added to read as follows:

PART 76 CABLE TELEVISION SERVICE

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SUBPART A—GENERAL

§ 76.1 *Purpose.*

The rules and regulations set forth in this part provide for the certification of cable television systems and for their operation in conformity with standards for carriage of television broadcast signals, program exclusivity, cablecasting, access channels, and related matters.

§ 76.3 *Other pertinent rules.*

Other pertinent provisions of the Commission's rules and regulations relating to the Cable Television Service are included in the following parts of this chapter:

Part 0—Commission Organization.
Part 1—Practice and Procedure.

Part 21—Domestic Public Radio Services (Other Than Maritime Mobile).
Part 63—Extension of Lines and Discontinuance of Service by Carriers.
Part 78—Cable Television Relay Service.
Part 91—Industrial Radio Services.

§ 76.5 *Definitions.*

(a) *Cable television system (or CATV system).* Any facility that, in whole or in part, receives directly, or indirectly over the air, and amplifies or otherwise modifies the signals transmitting programs broadcast by one or more television or radio stations and distributes such signals by wire or cable to subscribing members of the public who pay for such service, but such term shall not include (1) any such facility that serves fewer than 50 subscribers, or (2) any such facility that serves only the residents of one or more apartment dwellings under common ownership, control, or management, and commercial establishments located on the premises of such an apartment house.

NOTE.—In general, each separate and distinct community or municipal entity (including single, discrete, unincorporated areas) served by cable television facilities constitutes a separate cable television system, even if there is a single headend and identical ownership of facilities extending into several communities. See, e.g., *Teleprama, Inc.*, 3 FCC 2d 585 (1966); *Mission Cable TV, Inc.*, 4 FCC 2d 236 (1966).

(b) *Television station; television broadcast station.* Any television broadcast station operating on a channel regularly assigned to its community by § 73.606 of this chapter, and any television broadcast station licensed by a foreign government: *Provided, however,* That a television broadcast station licensed by a foreign government shall not be entitled to assert a claim to carriage or program exclusivity, pursuant to Subpart D or F of this part, but may otherwise be carried if consistent with the rules.

(c) *Television translator station.* A television broadcast translator station as defined in § 74.701 of this chapter.

(d) *Principal community contour.* The signal contour that a television station is required to place over its entire principal community by § 73.685(a) of this chapter.

(e) *Grade A and Grade B contours.* The field intensity contours defined in § 73.683(a) of this chapter.

(f) *Specified zone of a television broadcast station.* The area extending 35 air miles from the reference point in the community to which that station is licensed or authorized by the Commission. A list of reference points is contained in § 76.53. A television broadcast station that is authorized but not operating has a specified zone that terminates eighteen (18) months after the initial grant of its construction permit.

(g) *Major television market.* The specified zone of a commercial television station licensed to a community listed in § 76.51, or a combination of such specified zones where more than one community is listed.

(h) *Designated community in a major television market.* A community listed in § 76.51.

(i) *Smaller television market.* The specified zone of a commercial television station licensed to a community that is not listed in § 76.51.

(j) *Substantially duplicated.* Regularly duplicated by the network programming of one or more stations in a week during the hours of 6 to 11 p.m., local time, for a total of 14 or more hours.

(k) *Significantly viewed.* Viewed in other than cable television households as follows: (1) for a full or partial network station—a share of viewing hours of at least 3 percent (total week hours), and a net weekly circulation of at least 25 percent; and (2) for an independent station—a share of viewing hours of at least 2 percent (total week hours), and a net weekly circulation of at least 5 percent. See § 76.54.

NOTE.—As used in this paragraph, "share of viewing hours" means the total hours that non-cable television households viewed the subject station during the week, expressed as a percentage of the total hours these households viewed all stations during the period, and "net weekly circulation" means the number of non-cable televi-

sion households that viewed the station for 5 minutes or more during the entire week, expressed as a percentage of the total non-cable television households in the survey area.

(l) *Full network station.* A commercial television broadcast station that generally carries in weekly prime time hours 85 percent of the hours of programming offered by one of the three major national television networks with which it has a primary affiliation (i.e., right of first refusal or first call).

(m) *Partial network station.* A commercial television broadcast station that generally carries in prime time more than 10 hours of programming per week offered by the three major national television networks, but less than the amount specified in paragraph (l) above.

(n) *Independent station.* A commercial television broadcast station that generally carries in prime time not more than 10 hours of programming per week offered by the three major national television networks.

(o) *Network programming.* The programming supplied by a national or regional television network, commercial or noncommercial.

(p) *Syndicated program.* Any program sold, licensed, distributed, or offered to television station licensees in more than one market within the United States for non-interconnected (i.e., non-network) television broadcast exhibition, but not including live presentations.

(q) *Series.* A group of two or more works which are centered around, and dominated by the same individual, or which have the same, or substantially the same, cast of principal characters or a continuous theme or plot.

(r) *Off-network series.* A series whose episodes have had a national network television exhibition in the United States or a regional network exhibition in the relevant market.

(s) *First-run series.* A series whose episodes have had no national network television exhibition in the United States and no regional network exhibition in the relevant market.

(t) *First-run, non-series programs.* Programs, other than series, that have had no national network television exhibition in the United States and no regional network exhibition in the relevant market.

(u) *Prime time.* The five-hour period from 6 to 11 p.m., local time, except that in the Central Time Zone the relevant period shall be between the hours of 5 and 10 p.m., and in the Mountain Time Zone each station shall elect whether the period shall be 6 to 11 p.m. or 5 to 10 p.m.

NOTE.—Unless the Commission is notified to the contrary, a station in the Mountain Time Zone shall be presumed to have elected the 6 to 11 p.m. period.

(v) *Cablecasting.* Programming (exclusive of broadcast signals) carried on a cable television system. See paragraphs (aa), (bb), and (cc) (Class II, III and IV cable television channels) of this section.

(w) *Origination cablecasting.* Programming (exclusive of broadcast signals) carried on a cable television system over one or more channels and subject to the exclusive control of the cable operator.

(x) *Access cablecasting.* Services provided by a cable television system on its public, educational, local government, or leased channels.

(y) *Legally qualified candidate.* Any person who has publicly announced that he is a candidate for nomination by a convention of a political party or for nomination or election in a primary, special, or general election, municipal, county, State, or National, and who meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate, so that he may be voted for by the electorate directly or by means of delegates or electors, and who:

(1) Has qualified for a place on the ballot, or

(2) Is eligible under the applicable law to be voted for by sticker, by writing his name on the ballot, or other method, and (i) has been duly nominated by a political party which is commonly known and regarded as such, or (ii) makes a substantial showing that he is a bona fide candidate for nomination or office.

(z) *Class I cable television channel.* A signalling path provided by a cable television system to relay to subscriber terminals television broadcast programs that are received off-the-air or are obtained by microwave or by direct connection to a television broadcast station.

(aa) *Class II cable television channel.* A signalling path provided by a cable television system to deliver to subscriber terminals television signals that are intended for reception by a television broadcast receiver without the use of an auxiliary decoding device and which signals are not involved in a broadcast transmission path.

(bb) *Class III cable television channel.* A signalling path provided by a cable television system to deliver to subscriber terminals signals that are intended for reception by equipment other than a television broadcast receiver or by a television broadcast receiver only when used with auxiliary decoding equipment.

(cc) *Class IV cable television channel.* A signalling path provided by a cable television system to transmit signals of any type from a subscriber terminal to another point in the cable television system.

(dd) *Channel frequency response.* The relationship within a cable television channel between amplitude and frequency of a constant-amplitude input signal as measured at a subscriber terminal.

(ee) *Subscriber terminal.* The cable television system terminal to which a subscriber's equipment is connected. Separate terminals may be provided for delivery of signals of various classes.

(ff) *System noise.* That combination of undesired and fluctuating disturbances within a cable television channel that degrades the transmission of the desired signal and that is due to modulation processes or thermal or other noise-producing effects, but does not include hum and other undesired signals of discrete frequency. System noise is specified in terms of its rms voltage or its mean power level as measured in the 4 MHz bandwidth between 1.25 and 5.25 MHz above the lower channel boundary of a cable television channel.

(gg) *Terminal isolation.* The attenuation, at any subscriber terminal, between that terminal and any other subscriber terminal in the cable television system.

(hh) *Visual signal level.* The rms voltage produced by the visual signal during the transmission of synchronizing pulses.

§ 76.7 *Special relief.*

(a) Upon petition by a cable television system, an applicant, permittee, or licensee of a television broadcast, translator, or microwave relay station, or by any other interested person, the Commission may waive any provision of the rules relating to cable television systems, impose additional or different requirements, or issue a ruling on a complaint or disputed question.

(b) The petition may be submitted informally, by letter, but shall be accompanied by an affidavit of service on any cable television system, station licensee, permittee, applicant, or other interested person who may be directly affected if the relief requested in the petition should be granted.

(c) (1) The petition shall state the relief requested and may contain alternative requests. It shall state fully and precisely all pertinent facts and considerations relied on to demonstrate the need for the relief requested and to support a determination that a grant of such relief would serve the public interest. Factual allegations shall be supported by affidavit of a person or persons with actual knowledge of the facts, and exhibits shall be verified by the person who prepares them.

(2) A petition for a ruling on a complaint or disputed question shall set forth all steps taken by the parties to resolve the problem, except where the only relief sought is a clarification or interpretation of the rules.

(d) Interested persons may submit comments or opposition to the petition within thirty (30) days after it has been filed. For good cause shown in the petition, the Commission may, by letter or telegram to known interested persons, specify a shorter time for such submissions. Comments or oppositions shall be served on petitioner and on all persons listed in petitioner's affidavit of service, and shall contain a detailed full showing, supported by affidavit, of any facts or considerations relied on.

(e) The petitioner may file a reply to the comments or oppositions within twenty (20) days after their submission, which shall be served on all persons who have filed pleadings and shall also contain a detailed full showing, sup-

ported by affidavit, of any additional facts or considerations relied on. For good cause shown, the Commission may specify a shorter time for the filing of reply comments.

(f) The Commission, after consideration of the pleadings, may determine whether the public interest would be served by the grant, in whole or in part, or denial of the request, or may issue a ruling on the complaint or dispute. The Commission may specify other procedures, such as oral argument, evidentiary hearing, or further written submissions directed to particular aspects, as it deems appropriate. In the event that an evidentiary hearing is required, the Commission will determine, on the basis of the pleadings and such other procedures as it may specify, whether temporary relief should be afforded any party pending the hearing and the nature of any such temporary relief.

(g) Where a petition for waiver of the provisions of §§ 76.57(a), 76.59(a), 76.61(a), or 76.63(a), is filed within fifteen (15) days after a request for carriage, a cable television system need not carry the signal of the requesting station pending the Commission's ruling on the petition or on the question of temporary relief pending further proceedings.

Subpart B—Applications and Certificates of Compliance

§ 76.11 *Certificate of compliance required.*

(a) No cable television system shall commence operations or add a television broadcast signal to existing operations unless it receives a certificate of compliance from the Commission.

(b) No cable television system lawfully carrying television broadcast signals in a community prior to March 31, 1972, shall continue carriage of such signals beyond the end of its current franchise period, or March 31, 1977, whichever occurs first, unless it receives a certificate of compliance.

(c) A cable television system to which paragraph (b) applies may continue to carry television broadcast signals after expiration of the period specified therein, if an application for certificate is filed at least thirty (30) days prior to the date on which a certificate would otherwise be required and the Commission has not acted on the application.

§ 76.13 *Filing of applications.*

No standard form is prescribed in connection with the filing of an application for a certificate of compliance; however, three (3) copies of the following information must be provided:

(a) For a cable television system not operational prior to March 31, 1972 (other than systems that were authorized to carry one or more television signals prior to March 31, 1972, but did not commence such carriage prior to that date), an application for certificate of compliance shall include:

(1) The name and mailing address of the operator of the proposed system, community and area to be served, television signals to be carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it related to § 76.61(b)(2)(ii)), proposed date on which cable operations will commence, and, if applicable, a statement that microwave radio facilities are to be used to relay one or more signals;

(2) A copy of FCC Form 325 "Annual Report of Cable Television Systems," supplying all applicable information;

(3) A copy of the franchise, license, permit, or certificate granted to construct and operate a cable television system;

(4) A statement that explains how the proposed system's franchise and its plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of §§ 76.31 and 76.251;

(5) A statement that explains, in terms of the provisions of Subpart D of this part, how carriage of the proposed television signals is consistent with those provisions, including any special showings as to whether a signal is significantly viewed (see § 76.54(b));

(6) An affidavit of service of the information described in (a)(1) above on the licensee or permittee of any television broadcast station within whose predicted Grade B contour or 35-mile zone the system will operate, the licensee or permittee of any 100-watt or higher power television translator station licensed to the community of the system, the franchising authority, the superintendent of schools in the community of the system, and any local or state educational television authorities;

(7) A statement that the filing fee prescribed in § 1.1116 is attached.

(b) For a cable television system that was authorized to carry one or more television signals prior to March 31, 1972, but did not commence such carriage prior to that date, an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served or to be served, television signals authorized to be carried but not carried prior to March 31, 1972, and, if applicable, a statement that microwave relay facilities are to be used to relay one or more signals;

(2) A list of all television signals already being carried;

(3) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of § 76.251.

NOTE.—The provisions of this subparagraph are applicable only to systems located in a community that is wholly or partially within a major television market.

(4) An affidavit of service of the information described in (b)(1) above on the parties named in paragraph (a)(6) of this section;

(5) A statement that the filing fee prescribed in § 1.1116 is attached.

(c) For a cable television system proposing to add a television signal to existing operations, an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served, television signals to be added (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii)), and, if applicable, a statement that microwave relay facilities are to be used to relay one or more signals;

(2) A list of all television signals already being carried;

(3) A statement that explains, in terms of the provisions of Subpart D of this part, how carriage of the proposed television signals is consistent with those provisions, including any special showings on the question whether a signal is significantly viewed (see § 76.54(b));

(4) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of § 76.251:

NOTE.—The provisions of this subparagraph are applicable only to systems operating in a community located in whole or in part within a major television market.

(5) An affidavit of service of the information described in (c)(1) above on the parties named in paragraph (a)(6) of this section;

(6) A statement that the filing fee prescribed in § 1.1116 is attached.

(d) For a cable television system seeking certification of existing operations in accordance with § 76.11(b), an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served, television signals being carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii)), date on which operations commenced, and date on which its current franchise expires;

(2) A statement that explains how the franchise under which the system will operate upon Commission certification is consistent with the franchise standards specified in § 76.31;

(3) An affidavit of service of the information described in (d)(1) above on the parties named in paragraph (a)(6) of this section;

(4) A statement that the filing fee prescribed by § 1.1116 is attached.

NOTE.—As used in § 76.13, the term "predicted Grade B contour" means the field intensity contour defined in § 73.683(a) of this chapter, the location of which is determined exclusively by means of the calculations prescribed in § 73.684 of this chapter.

§ 76.15 *Public Notice.*

The Commission will give public notice of the filing of applications for certificates of compliance. A certificate will not be issued sooner than thirty (30) days from the date of public notice.

§ 76.17 *Objections to applications; related matters.*

A petition challenging the service proposed in an application for certificate of compliance shall be filed within thirty (30) days of the public notice described in § 76.15. The procedures specified in § 76.7 shall be applicable to such petitions and to oppositions and replies. Controversies concerning carriage (Subpart D) and program exclusivity (§ 76.91) will be acted on in connection with the certificating process if raised within thirty (30) days of the public notice; any other objection will be treated as a petition for special relief filed pursuant to § 76.7.

SUBPART C—FEDERAL-STATE/LOCAL REGULATORY RELATIONSHIPS

§ 76.31 *Franchise standards.*

(a) In order to obtain a certificate of compliance, a proposed or existing cable television system shall have a franchise or other appropriate authorization that contains recitations and provisions consistent with the following requirements:

(1) The franchisee's legal, character, financial, technical, and other qualifications, and the adequacy and feasiblity of its construction arrangements, have been approved by the franchising authority as part of a full public proceeding affording due process;

(2) The franchisee shall accomplish significant construction within one (1) year after receiving Commission certification, and shall thereafter equitably and reasonably extend energized trunk cable to a substantial percentage of its franchise area each year, such percentage to be determined by the franchising authority;

(3) The initial franchise period and any renewal franchise period shall be of reasonable duration;

(4) The franchising authority has specified or approved the initial rates which the franchisee charges subscribers for installation of equipment and regular subscriber services. No changes in rates charged to subscribers shall be made except as authorized by the franchising authority after an appropriate public proceeding affording due process;

(5) The franchise shall specify procedures for the investigation and resolution of all complaints regarding the quality of service, equipment malfunctions, and similar matters, and shall require that the franchisee maintain a local business office or agent for these purposes;

(6) Any modifications of the provisions of this section resulting from amendment by the Commission shall be incorporated into the franchise within one (1) year of adoption of the modification, or at the time of franchise renewal, whichever occurs first.

Provided, however, That, in an application for certificate of compliance, consistency with these requirements shall not be expected of a cable television system that was in operation prior to March 31, 1972, until the end of its current franchise period, or March 31, 1977, whichever occurs first.

(b) The franchise fee shall be reasonable (e.g., in the range of 3–5 percent of the franchisee's gross subscriber revenues per year from cable television operations in the community (including all forms of consideration, such as initial lump sum payments)). If the franchise fee exceeds three percent of such revenues, the cable television system shall not receive Commission certification until the rea-

sonableness of the fee is approved by the Commission on showings, by the franchisee, that it will not interfere with the effectuation of federal regulatory goals in the field of cable television, and, by the franchising authority, that it is appropriate in light of the planned local regulatory program. The provisions of this paragraph shall not be effective with respect to a cable television system that was in operation prior to March 31, 1972 until the end of its current franchise period, or March 31, 1977, whichever occurs first.

SUBPART D—CARRIAGE OF TELEVISION BROADCAST SIGNALS

§ 76.51 *Major television markets.*

For purposes of the cable television rules, the following is a list of the major television markets and their designated communities:

(a) First fifty major television markets:

(1) New York, N.Y.-Linden-Paterson, N.J.
(2) Los Angeles-San Bernardino-Corona-Fontana, Cal.
(3) Chicago, Ill.
(4) Philadelphia, Pa.-Burlington, N.J.
(5) Detroit, Mich.
(6) Boston-Cambridge-Worcester, Mass.
(7) San Francisco-Oakland-San Jose, Cal.
(8) Cleveland-Lorain-Akron, Ohio
(9) Washington, D.C.
(10) Pittsburgh, Pa.
(11) St. Louis, Mo.
(12) Dallas-Fort Worth, Tex.
(13) Minneapolis-St. Paul, Minn.
(14) Baltimore, Md.
(15) Houston, Tex.
(16) Indianapolis-Bloomington, Ind.
(17) Cincinnati, Ohio-Newport, Ky.
(18) Atlanta, Ga.
(19) Hartford-New Haven-New Britain-Waterbury, Conn.
(20) Seattle-Tacoma, Wash.
(21) Miami, Fla.
(22) Kansas City, Mo.
(23) Milwaukee,Wis.
(24) Buffalo,N.Y.
(25) Sacramento-Stockton-Modesto, Cal.
(26) Memphis, Tenn.
(27) Columbus, Ohio
(28) Tampa-St. Petersburg, Fla.
(29) Portland, Ore.
(30) Nashville, Tenn.
(31) New Orleans, La.
(32) Denver, Colo.
(33) Providence, R.I.-New Bedford, Mass.
(34) Albany-Schenectady-Troy, N.Y.
(35) Syracuse, N.Y.
(36) Charleston-Huntington, W. Va.
(37) Kalamazoo-Grand Rapids-Muskegon-Battle Creek, Mich.
(38) Louisville, Ky.
(39) Oklahoma City, Oklahoma
(40) Birmingham, Ala.
(41) Dayton-Kettering, Ohio
(42) Charlotte, N.C.
(43) Phoenix-Mesa, Ariz.
(44) Norfolk-Newport News-Portsmouth-Hampton,Va.
(45) San Antonio, Tex.
(46) Greenville-Spartanburg-Anderson, S.C.-Asheville, N.C.

(47) Greensboro-High Point-Winston-Salem, N.C.
(48) Salt Lake City, Utah
(49) Wilkes Barre-Scranton, Pa.
(50) Little Rock, Ark.

(b) Second fifty major television markets:

(51) San Diego, Cal.
(52) Toledo, Ohio
(53) Omaha, Neb.
(54) Tulsa, Okla.
(55) Orlando-Daytona Beach, Fla.
(56) Rochester, N.Y.
(57) Harrisburg-Lebanon-Lancaster-York, Pa.
(58) Texarkana, Tex.-Shreveport, La.
(59) Mobile, Ala.-Pensacola, Fla.
(60) Davenport, Iowa-Rock Island-Moline, Ill.
(61) Flint-Bay City-Saginaw, Mich.
(62) Green Bay, Wis.
(63) Richmond-Petersburg, Va.
(64) Springfield-Decatur-Champaign-Jacksonville, Ill.
(65) Cedar Rapids-Waterloo, Iowa
(66) Des Moines-Ames, Iowa
(67) Wichita-Hutchinson, Kan.
(68) Jacksonville, Fla.
(69) Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill.
(70) Roanoke-Lynchburg, Va.
(71) Knoxville, Tenn.
(72) Fresno, Cal.
(73) Raleigh-Durham, N.C.
(74) Johnstown-Altoona, Pa.
(75) Portland-Poland Spring, Me.
(76) Spokane, Wash.
(77) Jackson, Miss.
(78) Chattanooga, Tenn.
(79) Youngstown, Ohio
(80) South Bend-Elkhart, Ind.
(81) Albuquerque, N. Mex.
(82) Fort Wayne-Roanoke, Ind.
(83) Peoria, Ill.
(84) Greenville-Washington-New Bern, N.C.
(85) Sioux Falls-Mitchell, S.D.
(86) Evansville, Ind.
(87) Baton Rouge, La.
(88) Beaumont-Port Arthur, Texas
(89) Duluth-Superior, Minn.
(90) Wheeling, W. Va.-Steubenville, Ohio
(91) Lincoln-Hastings-Kearney, Neb.
(92) Lansing-Onondaga, Mich.
(93) Madison, Wis.
(94) Columbus, Ga.
(95) Amarillo, Tex.
(96) Huntsville-Decatur, Ala.
(97) Rockford-Freeport, Ill.
(98) Fargo-Grand Forks-Valley City, N.D.
(99) Monroe, La.-El Dorado, Ark.
(100) Columbia, S.C.

§ 76.53 *Reference points.*

To determine the boundaries of the major and smaller television markets (defined in § 76.5), the following list of reference points for communities having licensed television broadcast stations and/or outstanding construction permits shall be used. Where a community's reference point is not given, the geographic coordinates of the main post office in the community shall be used.

109-005—72——6

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Alabama:						
Anniston	33	39	49	87	49	47
Birmingham	33	31	01	86	48	36
Decatur	34	36	35	86	58	45
Demopolis	32	30	56	87	50	07
Dothan	31	13	27	85	23	35
Dozier	31	29	30	86	21	59
Florence	34	48	05	87	40	31
Huntsville	34	44	18	86	35	19
Louisville	31	47	00	85	33	09
Mobile	30	41	36	88	02	33
Montgomery	32	22	33	86	18	31
Mount Cheaha State Park	32	29	06	85	48	30
Selma	24	24	26	87	01	15
Tuscaloosa	33	12	05	87	33	44
Alaska:						
Anchorage	61	13	09	149	53	29
College	64	51	22	147	48	38
Fairbanks	64	50	35	147	41	31
Juneau	58	18	06	134	25	09
Sitka	57	02	58	135	20	12
Arizona:						
Flagstaff	35	11	54	111	39	02
Mesa	33	24	54	111	49	41
Nogales	31	20	14	110	56	12
Phoenix	33	27	12	112	04	28
Tucson	32	13	15	110	58	08
Yuma	32	43	16	114	37	01
Arkansas:						
El Dorado	33	12	39	92	39	40
Fayetteville	36	03	41	94	09	38
Fort Smith	35	23	10	94	25	36
Jonesboro	35	50	14	90	42	11
Little Rock	34	44	42	92	16	37
California:						
Bakersfield	35	22	31	119	01	16
Chico	39	44	07	121	49	57
Concord	37	58	46	122	01	51
Corona	33	52	35	117	33	56
El Centro	32	47	25	115	32	45
Eureka	40	48	08	124	09	46
Fontana	34	05	45	117	26	29
Fresno	36	44	12	119	47	11
Guasti	34	03	48	117	35	10
Hanford	36	19	51	119	38	48
Los Angeles	34	03	15	118	14	28
Modesto	37	38	26	120	59	44
Monterey	36	35	44	121	53	39
Oakland	37	48	03	122	15	54
Palm Springs	33	49	22	116	32	46
Redding	40	34	57	122	23	34
Sacramento	38	34	57	121	29	41
Salinas	36	40	24	121	39	25
San Bernadino	34	06	30	117	17	28
San Diego	32	42	53	117	09	21
San Francisco	37	46	30	122	24	40
San Jose	37	20	16	121	53	24
San Luis Obispo	35	16	49	120	39	34
San Mateo	37	34	08	122	19	16
Santa Barbara	34	25	18	119	41	55
Santa Maria	34	57	02	120	26	10
Stockton	37	57	30	121	17	16
Tulare	36	12	31	119	20	35
Ventura	34	16	47	119	17	22
Visalia	36	19	46	119	17	30
Colorado:						
Colorado Springs	38	50	07	104	49	16
Denver	39	44	58	104	59	22
Durango	37	16	29	107	52	25
Grand Junction	39	04	06	108	33	54
Montrose	38	28	44	107	52	31
Pueblo	38	16	17	104	36	33
Sterling	40	37	29	103	12	25
Connecticut:						
Bridgeport	41	10	49	73	11	22
Hartford	41	46	12	72	40	49
New Britain	41	40	02	72	47	08
New Haven	41	18	25	72	55	30
Norwich	41	31	36	72	04	31
Waterbury	41	33	13	73	02	31

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Delaware: Wilmington	39	44	46	75	32	51
District of Columbia: Washington	38	53	51	77	00	33
Florida:						
Clearwater	27	57	56	82	47	51
Daytona Beach	29	12	44	81	01	10
Fort Lauderdale	26	07	11	80	08	34
Fort Myers	26	38	42	81	52	06
Fort Pierce	27	26	48	80	19	38
Gainesville	29	38	56	82	19	19
Jacksonville	30	19	44	81	39	42
Largo	27	54	54	82	47	32
Leesburg	28	48	43	81	52	30
Melbourne	28	04	41	80	36	29
Miami	25	46	37	80	11	32
Ocala	29	11	34	82	08	14
Orlando	28	32	42	81	22	38
Panama City	30	09	24	85	39	46
Pensacola	30	24	51	87	12	56
St. Petersburg	27	46	18	82	38	19
Sarasota	27	20	05	82	32	20
Tallahassee	30	26	30	84	16	56
Tampa	27	56	58	82	27	25
West Palm Beach	26	42	36	80	03	07
Georgia:						
Albany	31	34	36	84	09	22
Athens	33	57	34	83	22	39
Atlanta	33	45	10	84	23	37
Augusta	33	28	20	81	58	00
Chatsworth	34	46	08	84	46	10
Cochran	32	23	18	83	21	18
Columbus	32	28	07	84	59	24
Dawson	31	46	33	84	26	20
Macon	32	50	12	83	37	36
Pelham	31	07	42	84	09	02
Savannah	32	04	42	81	05	37
Thomasville	30	50	25	83	58	59
Waycross	31	12	19	82	21	47
Wrens	33	12	21	82	23	23
Guam: Agana	13	28	23	144	45	00
Hawaii:						
Hilo	19	43	42	155	05	30
Honolulu	21	18	36	157	51	48
Wailuku	20	53	21	156	30	27
Idaho:						
Boise	43	37	07	116	11	58
Idaho Falls	43	29	39	112	02	28
Lewiston	46	25	05	117	01	10
Moscow	46	43	58	116	59	54
Pocatello	42	51	38	112	27	01
Twin Falls	42	33	25	114	28	21
Illinois:						
Aurora	41	45	22	88	18	56
Bloomington	40	28	58	88	59	32
Carbondale	37	43	38	89	13	00
Champaign	40	07	05	88	14	48
Chicago	41	52	28	87	38	22
Decatur	39	50	37	88	57	11
Elgin	42	02	14	88	16	53
Freeport	42	17	57	89	37	07
Harrisburg	37	44	20	88	32	25
Jacksonville	39	44	03	90	13	44
Joliet	41	31	37	88	04	52
La Salle	41	19	49	89	05	44
Moline	41	30	31	90	30	49
Mount Vernon	38	18	29	88	54	26
Olney	38	43	47	88	05	00
Peoria	40	41	42	89	35	33
Quincy	39	55	59	91	24	12
Rockford	42	16	07	89	05	48
Rock Island	41	30	40	90	34	24
Springfield	39	47	58	89	38	51
Urbana	40	06	41	88	13	13
Indiana:						
Bloomington	39	09	56	86	31	52
Elkhart	41	40	56	85	58	15
Evansville	37	58	20	87	34	21
Fort Wayne	41	04	21	85	08	26
Gary	41	35	59	87	20	07
Hammond	41	35	13	87	27	43

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Indiana—Continued						
Indianapolis	39	46	07	86	09	46
Lafayette	40	25	11	86	53	39
Marion	40	33	17	85	39	49
Muncie	40	11	28	85	23	16
Richmond	39	49	49	86	53	26
Roanoke	40	57	50	85	22	30
St. John	41	27	00	87	28	13
South Bend	41	40	33	86	15	01
Terre Haute	39	28	03	87	24	26
Vincennes	38	40	52	87	31	12
Iowa:						
Ames	42	01	36	93	36	44
Cedar Rapids	41	58	48	91	39	48
Davenport	41	31	24	90	34	21
Des Moines	41	35	14	93	37	00
Dubuque	42	29	55	90	40	08
Fort Dodge	42	30	12	94	11	05
Iowa City	41	39	37	91	31	52
Mason City	43	09	15	93	12	00
Sioux City	42	29	46	96	24	30
Waterloo	42	29	40	92	20	20
Kansas:						
Ensign	37	38	48	100	14	00
Garden City	37	57	54	100	52	20
Goodland	39	20	53	101	42	35
Great Bend	38	22	04	98	45	58
Hays	38	52	16	99	19	57
Hutchinson	38	03	11	97	55	20
Pittsburg	37	24	50	97	42	11
Salina	38	50	36	97	36	46
Topeka	39	03	16	95	40	23
Wichita	37	41	30	97	20	16
Kentucky:						
Ashland	38	28	36	82	38	23
Bowling Green	36	59	41	86	26	33
Covington	39	05	00	84	30	29
Elizabethtown	38	41	38	85	51	35
Hazard	37	14	54	87	11	31
Lexington	38	02	50	84	29	46
Louisville	38	14	47	85	45	49
Madisonville	37	19	45	87	29	54
Morehead	38	10	53	83	26	08
Murray	36	36	35	88	18	39
Newport	39	05	28	84	29	20
Owensboro	37	46	27	87	06	46
Owenton	38	32	11	84	50	16
Paducah	37	05	13	88	35	56
Pikesville	37	28	49	82	31	09
Somerset	37	05	35	84	36	17
Louisiana:						
Alexandria	31	18	33	92	26	47
Baton Rouge	30	26	58	91	11	00
Houma	29	35	34	90	43	09
Lafayette	30	13	24	92	01	06
Lake Charles	30	13	45	93	12	52
Monroe	32	30	02	92	06	55
New Orleans	29	56	53	90	04	10
Shreveport	32	30	46	93	44	58
West Monroe	32	30	51	92	08	13
Maine:						
Augusta	44	18	53	69	46	29
Bangor	44	48	13	68	46	18
Calais	45	11	04	67	16	43
Orono	44	53	15	68	40	12
Poland Spring	44	01	42	70	21	40
Portland	43	39	33	70	15	19
Presque Isle	46	40	57	68	00	52
Maryland:						
Baltimore	39	17	26	76	36	45
Cumberland	39	39	01	78	45	45
Hagerstown	39	38	39	77	43	15
Salisbury	38	21	56	75	35	56
Massachusetts:						
Adams	42	37	30	73	07	05
Boston	42	21	24	71	03	25
Cambridge	42	21	58	71	06	24
Greenfield	42	35	15	72	35	54
New Bedford	41	38	13	70	55	41
Springfield	42	06	21	72	35	32
Worcester	42	15	37	71	48	17

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Michigan:						
Allen Park	42	15	12	83	12	57
Battle Creek	42	18	58	85	10	48
Bay City	43	36	04	83	53	15
Cadillac	44	15	10	85	23	52
Cheboygan	45	38	38	84	28	38
Detroit	42	19	48	83	02	57
Escanaba	45	44	45	87	03	18
Flint	43	00	50	83	41	33
Grand Rapids	42	58	03	85	40	13
Jackson	42	14	43	84	24	22
Kalamazoo	42	17	29	85	35	14
Lansing	42	44	01	84	33	15
Marquette	46	32	37	87	23	43
Mount Pleasant	43	16	12	84	46	31
Muskegon	43	14	17	86	15	02
Onondaga	42	26	41	84	33	43
Saginaw	43	25	52	83	56	05
Sault Ste. Marie	46	29	58	84	20	37
Traverse City	44	45	47	85	37	25
University Center	43	33	31	83	59	09
Minnesota:						
Alexandria	45	53	06	95	22	39
Appleton	45	12	00	96	01	02
Austin	43	39	57	92	58	20
Duluth	46	46	56	92	06	34
Hibbing	47	25	43	92	56	21
Mankato	44	09	49	94	00	09
Minneapolis	44	58	57	93	15	43
Rochester	44	01	21	92	28	03
St. Cloud	45	33	35	94	09	38
St. Paul	44	56	50	93	05	11
Walker	47	05	57	94	35	12
Mississippi:						
Biloxi	30	23	43	88	53	08
Bude	31	27	46	90	50	34
Columbus	33	29	40	88	25	33
Greenwood	33	31	05	90	10	55
Gulfport	30	22	04	89	05	36
Jackson	32	17	56	90	11	06
Laurel	31	41	40	89	07	48
Meridian	32	21	57	88	42	02
Oxford	34	22	00	89	31	07
State College	33	27	18	88	47	13
Tupelo	34	15	26	88	42	30
Missouri:						
Cape Girardeau	37	18	29	89	31	29
Columbia	38	57	03	92	19	46
Hannibal	39	42	24	91	22	45
Jefferson City	38	34	40	92	10	24
Joplin	37	05	26	94	30	50
Kansas City	39	04	56	94	35	20
Kirksville	40	11	37	92	34	58
Poplar Bluff	36	45	20	90	23	38
St. Joseph	39	45	57	94	51	02
St. Louis	38	37	45	90	12	22
Sedalia	38	42	08	93	13	26
Springfield	37	13	03	93	17	32
Montana:						
Anaconda	46	07	40	112	57	12
Billings	45	47	00	108	30	04
Butte	46	01	06	112	32	11
Glendive	47	06	42	104	43	02
Great Falls	47	29	33	111	18	23
Helena	46	35	33	112	02	24
Kalispell	48	11	45	114	18	44
Miles City	46	24	34	105	50	30
Missoula	46	52	23	113	59	29
Nebraska:						
Albion	41	41	23	97	59	53
Alliance	42	06	04	102	52	08
Bassett	42	35	00	99	32	10
Grand Island	40	55	33	98	20	23
Hastings	40	35	21	98	23	20
Hayes Center	40	30	36	101	01	18
Hay Springs	42	41	03	102	41	22
Kearney	40	41	58	99	04	53
Lexington	40	46	30	99	44	41
Lincoln	40	48	59	96	42	15

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
McCook	40	12	02	100	37	32
Merriman	42	55	07	101	42	02
Norfolk	42	01	56	97	24	42
North Platte	41	08	14	100	45	43
Omaha	41	15	42	95	56	14
Scottsbluff	41	51	40	103	39	00
Superior	40	01	12	98	04	00
Nevada:						
Elko	40	50	00	115	45	41
Henderson	36	02	00	114	58	57
Las Vegas	36	10	20	115	08	37
Reno	39	31	27	119	48	40
New Hampshire:						
Berlin	44	28	20	71	10	43
Durham	43	08	02	70	55	35
Hanover	43	42	03	72	17	24
Keene	42	56	02	72	16	44
Lebanon	43	38	34	72	15	12
Littleton	44	18	22	71	46	13
Manchester	42	59	28	71	27	41
New Jersey:						
Atlantic City	39	21	32	74	25	53
Burlington	40	04	21	74	51	47
Camden	39	56	45	75	07	20
Glen Ridge	40	48	16	74	12	14
Linden	40	37	57	74	15	22
Newark	40	44	14	74	10	19
New Brunswick	40	29	38	74	26	49
Paterson	40	54	51	74	09	51
Trenton	40	13	16	74	45	28
Vineland	39	29	13	75	01	17
Wildwood	38	59	18	74	48	43
New Mexico:						
Albuquerque	35	05	01	106	39	05
Carlsbad	32	25	09	104	13	47
Clovis	34	24	11	103	12	08
Portales	34	10	58	103	20	10
Roswell	33	23	47	104	31	26
New York:						
Albany	42	39	01	73	45	01
Binghamton	42	06	03	75	54	47
Buffalo	42	52	52	78	52	21
Carthage	43	58	50	75	36	26
Elmira	42	05	26	76	48	22
Garden City	40	43	26	73	38	03
Ithaca	42	26	33	76	29	42
Jamestown	42	05	45	79	14	40
New York	40	45	06	73	59	39
North Pole	44	23	59	73	51	00
Norwood	44	45	00	75	59	39
Oneonta	42	27	21	75	03	42
Patchogue	40	45	56	73	00	42
Plattsburgh	44	42	03	73	27	07
Riverhead	40	55	06	72	39	51
Rochester	43	09	41	77	36	21
Schenectady	42	48	52	73	56	24
Syracuse	43	03	04	76	09	14
Utica	43	06	12	75	13	33
Watertown	43	58	30	75	54	48
North Carolina:						
Asheville	35	35	42	82	33	26
Chapel Hill	35	54	51	79	03	11
Charlotte	35	13	44	80	50	45
Columbia	35	55	06	76	15	40
Concord	35	24	29	80	34	45
Durham	35	59	48	78	54	00
Fayetteville	35	03	12	78	52	54
Greensboro	36	04	17	79	47	25
Greenville	35	36	49	77	22	22
Hickory	35	43	54	81	20	20
High Point	35	57	14	80	00	15
Jacksonville	34	45	00	77	25	54
Linville	36	04	06	81	52	16
New Bern	35	06	33	77	02	23
Raleigh	35	46	38	78	38	21
Washington	35	32	35	77	03	16
Wilmington	34	14	14	77	56	58
Winston-Salem	36	05	52	80	14	42

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
North Dakota:						
Bismark	46	48	23	100	47	17
Devils Lake	48	06	42	98	51	29
Dickinson	46	52	55	102	47	06
Fargo	46	52	30	96	47	18
Minot	48	14	09	101	17	38
Pembina	48	58	00	97	14	37
Valley City	46	55	31	98	00	04
Williston	48	08	47	103	36	59
Ohio:						
Akron	41	05	00	81	30	44
Athens	39	19	38	82	06	09
Bowling Green	41	22	37	83	39	03
Canton	40	47	50	81	22	37
Cincinnati	39	06	07	84	30	35
Cleveland	41	29	51	81	41	50
Columbus	39	57	47	83	00	17
Dayton	39	45	32	84	11	43
Kettering	39	41	22	84	10	07
Lima	40	44	29	84	06	34
Lorain	41	27	48	82	10	23
Marion	40	35	14	83	07	36
Newark	40	03	35	82	24	15
Oxford	39	30	28	84	44	26
Portsmouth	38	44	06	82	59	39
Springfield	39	55	38	83	48	29
Steubenville	40	21	42	80	36	53
Toledo	41	39	14	83	32	39
Youngstown	41	05	57	80	39	02
Zanesville	39	56	59	82	00	56
Oklahoma:						
Ada	34	46	24	96	40	36
Ardmore	34	10	18	97	07	50
Lawton	34	36	27	98	23	41
Oklahoma City	35	28	26	97	31	04
Sayre	35	17	34	99	38	23
Tulsa	36	09	12	95	59	34
Oregon:						
Coos Bay	43	22	02	124	13	09
Corvallis	44	34	10	123	16	12
Eugene	44	03	16	123	05	30
Klamath Falls	42	13	32	121	46	32
La Grande	45	19	47	118	05	45
Medford	42	19	33	122	52	31
Portland	45	31	06	122	40	35
Roseburg	43	12	34	123	20	26
Salem	44	56	21	123	01	59
Pennsylvania:						
Allentown	40	36	11	75	28	06
Altoona	40	30	55	78	24	03
Bethlehem	40	37	57	75	21	36
Clearfield	41	01	20	78	26	10
Erie	42	07	15	80	04	57
Harrisburg	40	15	43	76	52	59
Hershey	40	17	04	76	39	01
Johnstown	40	19	35	78	55	03
Lancaster	40	02	25	76	18	29
Philadelphia	39	56	58	75	09	21
Pittsburgh	40	26	19	80	00	00
Reading	40	20	09	75	55	40
Scranton	41	24	32	75	39	46
Wilkes-Barre	41	14	32	75	53	17
York	39	57	35	76	43	36
Puerto Rico:						
Aguadilla	18	25	53	67	09	18
Arecibo	18	28	26	66	43	39
Caguas	18	13	59	66	02	06
Fajardo	18	19	35	65	39	21
Mayaguez	18	12	16	67	08	36
Ponce	18	00	51	66	36	58
San Juan	18	26	55	66	03	55
Rhode Island: Providence	41	49	32	71	24	41
South Carolina:						
Allendale	33	00	30	81	18	26
Anderson	34	30	06	82	38	54
Charleston	32	46	35	79	55	53
Columbia	34	00	02	81	02	00
Florence	34	11	49	79	46	06
Greenville	34	50	50	82	24	01
Spartanburg	34	57	03	81	56	06

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
South Dakota:						
Aberdeen	45	27	31	98	29	03
Brookings	44	18	38	96	47	53
Florence	45	03	14	97	19	35
Lead	44	21	07	103	46	03
Mitchell	43	42	48	98	01	36
Pierre	44	22	06	100	20	57
Rapid City	44	04	52	103	13	11
Reliance	43	52	45	99	36	18
Sioux Falls	43	32	35	96	43	35
Vermillion	42	46	52	96	55	35
Tennessee:						
Chattanooga	35	02	41	85	18	32
Jackson	35	36	48	88	49	15
Johnson City	36	19	04	82	20	56
Kingsport	36	32	57	82	33	44
Knoxville	35	57	39	83	55	07
Lexington	35	38	58	88	23	31
Memphis	35	08	46	90	03	13
Nashville	36	09	33	86	46	55
Sneedville	36	31	46	83	13	04
Texas:						
Abilene	32	27	05	99	43	51
Amarillo	35	12	27	101	50	04
Austin	30	16	09	97	44	37
Beaumont	30	05	20	94	06	09
Belton	31	03	31	97	27	39
Big Spring	32	15	03	101	28	38
Bryan	30	38	48	96	21	31
College Station	30	37	05	96	20	41
Corpus Christi	27	47	51	97	23	45
Dallas	32	47	09	96	47	37
El Paso	31	45	36	106	29	11
Fort Worth	32	44	55	97	19	44
Galveston	29	18	10	94	47	43
Harlingen	26	11	29	97	41	35
Houston	29	45	26	95	21	37
Laredo	27	30	22	99	30	30
Longview	32	28	24	94	43	45
Lubbock	33	35	05	101	50	33
Lufkin	31	20	14	94	43	21
Midland	31	59	54	102	04	31
Monahans	31	35	16	102	53	26
Nacogdoches	31	36	13	94	39	20
Odessa	31	50	49	102	22	01
Port Arthur	29	52	09	93	56	01
Richardson	32	57	06	96	44	05
Rosenberg	29	33	30	95	48	15
San Angelo	31	27	39	100	26	03
San Antonio	29	25	37	98	29	06
Sweetwater	32	28	24	100	24	18
Temple	31	06	02	97	20	22
Texarkana	33	25	29	94	02	34
Tyler	32	21	21	95	17	52
Victoria	28	48	01	97	00	06
Waco	31	33	12	97	08	00
Weslaco	26	09	24	97	59	33
Wichita Falls	33	54	34	98	29	28
Utah:						
Logan	41	44	03	111	50	11
Ogden	41	13	31	111	58	21
Provo	40	14	07	111	39	34
Salt Lake City	40	45	23	111	53	26
Vermont:						
Burlington	44	28	34	73	12	46
Rutland	43	36	29	72	58	56
St. Johnsbury	44	25	16	72	01	13
Windsor	44	28	38	72	23	32
Virginia:						
Bristol	36	35	48	82	11	04
Charlottesville	38	01	52	78	28	50
Goldvein	38	26	54	77	39	19
Hampton	37	01	32	76	20	32
Harrisonburg	38	27	01	78	52	07
Lynchburg	37	24	51	79	08	37
Norfolk	36	51	10	76	17	21
Norton	36	56	05	82	37	31
Petersburg	37	13	49	77	24	15
Portsmouth	36	50	12	76	17	54
Richmond	37	32	15	77	26	09
Roanoke	37	16	13	79	56	44
Staunton	38	09	02	79	04	34

State and community	Latitude			Longitude		
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
Virgin Island:						
Charlotte Amalie	18	20	36	64	55	53
Christiansted	17	44	44	64	42	21
Washington:						
Bellingham	48	45	02	122	28	36
Kennewick	46	12	28	119	08	32
Lakewood Center	47	07	37	122	31	15
Pasco	46	13	50	119	05	27
Pullman	46	43	42	117	10	46
Richland	46	16	36	119	16	21
Seattle	47	36	32	122	20	12
Spokane	47	39	32	117	25	33
Tacoma	47	14	59	122	26	15
Yakima	46	36	09	120	30	39
West Virginia:						
Bluefield	37	15	29	81	13	20
Charleston	38	21	01	81	37	52
Clarksburg	39	16	50	80	20	38
Grandview	37	49	28	81	04	20
Huntington	38	25	12	82	26	33
Morgantown	39	37	41	79	57	28
Oak Hill	37	58	31	81	08	45
Parkersburg	39	15	57	81	33	46
Weston	39	02	19	80	28	05
Wheeling	40	04	03	80	43	20
Wisconsin:						
Eau Claire	44	48	31	91	29	49
Fond Du Lac	43	46	35	88	26	52
Green Bay	44	30	48	88	00	50
Janesville	42	40	52	89	01	39
Kenosha	42	35	04	87	49	14
La Crosse	43	48	48	91	15	02
Madison	43	04	23	89	22	55
Milwaukee	43	02	19	87	54	15
Rhinelander	45	38	09	89	24	50
Superior	46	43	14	92	06	07
Wausau	44	57	30	89	37	40
Wyoming:						
Casper	42	51	00	106	19	22
Cheyenne	41	08	09	104	49	07
Rawlins	41	47	23	107	14	37
Riverton	43	01	29	108	23	03

§ 76.54 *Significantly viewed signals; method to be followed for special showings.*

(a) Signals that are significantly viewed in a county (and thus are deemed to be significantly viewed within all communities within the county) are those that meet the test of significant viewing (see § 76.5(k)) according to the 1971 American Research Bureau "Television Circulation Share of Hours" survey, for counties in which there is less than 10 percent cable television penetration, and the 1971 American Research Bureau "Non-CATV Circulation and Share of Viewing Hours Study for ARB CATV-controlled Counties," for counties in which there is 10 percent or more cable television penetration.

NOTE.—The relevant information from these surveys is available from the Commission.

(b) On or after March 31, 1973, significant viewing in a cable television community for signals not shown as significantly viewed under paragraph (a) of this section may be demonstrated by an independent professional audience survey of non-cable television homes that covers at least two weekly periods separated by at least thirty (30) days but no more than one of which shall be a week between the months of April and September. If two surveys are taken, they shall include samples sufficient to assure that the combined surveys result in an average figure at least one standard error above the required viewing level. If surveys are taken for more than two weekly periods in any 12 months, all such surveys must be submitted and the combined surveys must result in an average figure at least one standard error above the required viewing level.

§ 76.55 *Manner of carriage.*

(a) Where a television broadcast signal is required to be carried by a cable television system, pursuant to the rules in this subpart:

(1) The signal shall be carried without material degradation in quality (within the limitations imposed by the technical state of the art), and, where applicable, in accordance with the technical standards of Subpart K of this part;

(2) The signal shall, on request of the station licensee or permittee, be carried on the system on the channel number on which the station is transmitting, except where technically infeasible;

(3) The signal shall, on request of the station licensee or permittee, be carried on the system on no more than one channel.

(b) Where a television broadcast signal is carried by a cable television system, pursuant to the rules in this subpart, the programs broadcast shall be carried in full, without deletion or alteration of any portion except as required by this part.

(c) A cable television system need not carry the signal of any television translator station if (1) the system is carrying the signal of the originating station, or (2) the community of the system is located, in whole or in part, within the Grade B contour of a station carried on the system whose programming is substantially duplicated by the translator station.

(d) If the community of a cable television system is located, in whole or in part, within the Grade B contour of both a satellite and its parent television station, and if the system would otherwise be required to carry both of them pursuant to the rules in this subpart, the system need carry only one of these signals, and may select between them.

§ 76.57 *Provisions for systems operating in communities located outside of all major and smaller television markets.*

A cable television system operating in a community located wholly outside all major and smaller television markets, as defined in § 76.5, shall carry television broadcast signals in accordance with the following provisions:

(a) Any such cable television system may carry or, on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(2) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(3) Noncommercial educational television broadcast stations within whose specified zone the community of the system is located, in whole or in part;

(4) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) In addition to the television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry any additional television signals.

§ 76.59 *Provisions for smaller television markets.*

A cable television system operating in a community located in whole or in part within a smaller television market, as defined in § 76.5, shall carry television broadcast signals only in accordance with the following provisions:

(a) Any such cable television system may carry or, on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose specified zone the community of the system is located, in whole or in part;

(2) Noncommercial educational television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(3) Commercial television broadcast stations licensed to communities in other smaller television markets, within whose Grade B contours the community of the system is located, in whole or in part;

(4) Television broadcast stations licensed to other communities which are generally considered to be part of the same smaller television market (Example: Burlington, Vermont-Plattsburgh, New York television market);

(5) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(6) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) Any such cable television system may carry sufficient additional signals so that, including the signals required to be carried pursuant to paragraph (a) of this section, it can provide the signals of a full network station of each of the major national television networks, and of one independent television station: *Provided, however,* That, in determining how many additional signals may be carried, any authorized but not operating television broadcast station that, if operational, would be required to be carried pursuant to paragraph (a)(1) of this section, shall be considered to be operational for a period terminating 18 months after grant of its initial construction permit. The following priorities are applicable to the additional television signals that may be carried:

(1) *Full network stations.* A cable television system may carry the nearest missing full network stations or the nearest in-state full network stations;

NOTE.—The Commission may waive the requirements of this subparagraph for good cause shown in a petition filed pursuant to § 76.7.

(2) *Independent station.* A cable television system may carry any independent television station: *Provided, however,* That if a signal of a station in the first 25 major television markets (see § 76.51(a)) is carried pursuant to this subparagraph, such signal shall be taken from one of the two closest such markets, where such signal is available.

NOTE.—It is not contemplated that waiver of the provisions of this subparagraph will be granted.

(c) In addition to the noncommercial educational television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry the signals of any noncommercial educational stations that are operated by an agency of the state within which the system is located. Such system may also carry any other noncommercial educational signals, in the absence of objection filed pursuant to § 76.7 by any local noncommercial educational station or state or local educational television authority.

(d) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (c) of this section, any such cable television system may carry any television stations broadcasting predominantly in a non-English language.

(e) Where the community of a cable television system is wholly or partially within both one of the first fifty major television markets and a smaller television market, the carriage provisions for the first fifty major markets shall apply. Where the community of a system is wholly or partially within both one of the second fifty major television markets and a smaller television market, the carriage provisions for the second fifty major markets shall apply.

§ 76.61 *Provisions for first fifty major television markets.*

A cable television system operating in a community located in whole or in part within one of the first fifty major television markets listed in § 76.51(a) shall carry television broadcast signals only in accordance with the following provisions:

(a) Any such cable television system may carry, or on request of the relevant station licensee or permittee, shall carry the signals of:

(1) Television broadcast stations within whose specified zone the community of the system is located, in whole or in part: *Provided, however,* That where a cable television system is located in the designated community of a major television market, it shall not carry the signal of a television station licensed to a designated community in another major television market, unless the designated community in which the cable system is located is wholly within the specified zone (see § 76.5(f)) of the station, except as otherwise provided in this section;

(2) Noncommercial educational television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(3) Television translator stations, with 100 watts or higher power, licensed to the community of the system;

(4) Television broadcast stations licensed to other designated communities of the same major television market (Example: Cincinnati, Ohio-Newport, Kentucky television market);

(5) Commercial television broadcast stations that are significantly viewed in the community of the system. See § 76.54.

(b) Any such cable television system may carry sufficient additional signals so that, including the signals required to be carried pursuant to paragraph (a) of this section, it can provide the signals of a full network station of each of the major national television networks, and of three independent television stations: *Provided, however,* That in determining how many additional signals may be carried, any authorized but not operating television broadcast station that, if operational, would be required to be carried pursuant to paragraph (a)(1) of this section, shall be considered to be operational for a period terminating 18 months after grant of its initial construction permit. The following priorities are applicable to the additional television signals that may be carried:

(1) *Full network stations.* A cable television system may carry the nearest missing full network stations, or the nearest in-state full network stations;

NOTE.—The Commission may waive the requirements of this subparagraph for good cause shown in a petition filed pursuant to § 76.7.

(2) *Independent stations.* (i) For the first and second additional signals, if any, a cable television system may carry the signals of any independent television station: *Provided, however,* That if signals of stations in the first 25 major television markets (see § 76.51(a)) are carried pursuant to this subparagraph, such signals shall be taken from one or both of the two closest such markets, where such signals are available. If a third additional signal may be carried, a system shall carry the signal of any independent UHF television station located within 200 air miles of the reference point for the community of the system (see § 76.53), or, if there is no such station, either the signal of any independent VHF television station located within 200 air miles of the reference point for the community of the system, or the signal of any independent UHF television station.

NOTE.—It is not contemplated that waiver of the provisions of this subparagraph will be granted.

(ii) Whenever, pursuant to Subpart F of this part, a cable television system is required to delete a television program on a signal carried pursuant to paragraph (b)(2)(i) or (c) of this section, or a program on such a signal is primarily of local interest to the distant community (e.g., a local news or public affairs program), such system may, consistent with the program exclusivity rules of Subpart F of this part, substitute a program from any other television broadcast station. A program substituted may be carried to its completion, and the cable system need not return to its regularly carried signal until it can do so without interrupting a program already in progress.

(c) After the service standards specified in paragraph (b) of this section have been satisfied, a cable television system may carry two additional independent television broadcast signals, chosen in accordance with the priorities specified in paragraph (b)(2) of this section: *Provided, however,* That the number of additional signals permitted under this paragraph shall be reduced by the number of signals added to the system pursuant to paragraph (b) of this section.

(d) In addition to the noncommercial educational television broadcast signals carried pursuant to paragraph (a) of this section, any such cable television system may carry the signals of any noncommercial educational stations that are operated by an agency of the state within which the system is located. Such system may also carry any other noncommercial educational signals, in the absence of objection filed pursuant to § 76.7 by any local noncommercial educational station or state or local educational television authority.

(e) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (d) of this section, any such cable television system may carry any television stations broadcasting predominantly in a non-English language.

(f) Where the community of a cable television system is wholly or partially within both one of the first fifty major television markets and another television market, the provisions of this section shall apply.

§ 76.63 *Provisions for second fifty major television markets.*

(a) A cable television system operating in a community located in whole or in part within one of the second fifty major television markets listed in § 76.51(b) shall carry television broadcast signals only in accordance with the provisions of § 76.61, except that in paragraph (b) of § 76.61, the number of additional independent television signals that may be carried is two (2).

(b) Where the community of a cable television system is wholly or partially within both one of the second fifty major television markets and one of the first fifty major television markets, the carriage provisions for the first fifty major markets shall apply. Where the community of a system is wholly or partially within both one of the second fifty major television markets and a smaller television market, the provisions of this section shall apply.

§ 76.65 *Grandfathering provisions.*

The provisions of §§ 76.57, 76.59 76.61 and 76.63 shall not be deemed to require the deletion of any television broadcast or translator signals which a cable television system was authorized to carry or was lawfully carrying prior to March 31, 1972: *Provided, however,* That if carriage of a signal has been limited by Commission order to discrete areas of a community, any expansion of service will be subject to the appropriate provisions of this subpart. If a cable television system in a community is authorized to carry signals, either by virtue of specific Commission authorization or otherwise, any other cable television system already operating or subsequently commencing operations in the same community may carry the same signals. (Any such new system shall, before instituting service, obtain a certificate of compliance, pursuant to § 76.11.).

Subpart E—[Reserved]

Subpart F—Program Exclusivity

§ 76.91 *Stations entitled to network program exclusivity.*

(a) Any cable television system operating in a community, in whole or in part, within the Grade B contour of any television broadcast station, or within the community of a 100-watt or higher power television translator station, and that carries the signal of such station shall, on request of the station licensee or permittee, maintain the station's exclusivity as an outlet for network programming against lower priority duplicating signals, but not against signals of equal priority, in the manner and to the extent specified in §§ 76.93 and 76.95.

(b) For purposes of this section, the order of priority of television signals carried by a cable television system is as follows:

(1) First, all television broadcast stations within whose principal community contours the community of the system is located, in whole or in part;

(2) Second, all television broadcast stations within whose Grade A contours the community of the system is located, in whole or in part;

(3) Third, all television broadcast stations within whose Grade B contours the community of the system is located, in whole or in part;

(4) Fourth, all television translator stations with 100 watts or higher power, licensed to the community of the system.

(c) If the signal of a television broadcast station licensed to a community in a smaller television market is carried by a cable television system, pursuant to § 76.57(a)(4), such signal shall, on request, be afforded network program exclusivity. This provision shall not be applicable to any signal authorized or lawfully carried by a cable television system prior to March 31, 1972.

§ 76.93 *Extent of protection.*

(a) Where the network programming of a television station is entitled to program exclusivity, the cable television system shall, on request of the station licensee or permittee, refrain from simultaneously duplicating any network program broadcast by such station, if the cable operator has received notification from the requesting station of the date and time of its broadcast of the program and the date and time of any broadcast to be deleted, as soon as possible and in any event no later than 48 hours prior to the broadcast to be deleted. On request of the cable system, such notice shall be given no later than the Monday preceding the calendar week (Sunday-Saturday) during which exclusivity is sought.

(b) On petition filed pursuant to § 76.7, the Commission will afford additional, limited program exclusivity to a network-affiliated station where, because of the time-zone situation, the affording of simultaneous program exclusivity would result in duplication of a substantial amount of such station's network programming. Where a station is currently receiving same-day program exclusivity and files for such relief within fifteen (15) days of the effective date of this rule, it shall continue to receive same-day program exclusivity pending the Commission's ruling on the petition. During such period, and if same-day program exclusivity is required thereafter, the following provisions shall be applicable:

(1) A cable television system need not delete reception of a network program if, in so doing, it would leave available for reception by subscribers, at any time, less than the programs of two networks (including those broadcast by any stations whose signals are being carried and whose program exclusivity is being protected pursuant to the requirements of this section);

(2) A system need not delete reception of a network program which is scheduled by the network between the hours of 6 and 11 p.m., eastern time, but is broadcast by the station requesting deletion, in whole or in part, outside of the period which would normally be considered prime time for network programming in the time zone involved.

§ 76.95 *Exceptions.*

Notwithstanding the requirements of § 76.93:

(a) A cable television system need not delete reception of any program which would be carried on the system in color but will be broadcast in black and white by the station requesting deletion.

(b) The Commission will give full effect to private agreements between operators of cable television systems and local television stations which provide for a type or degree of network exclusivity which differs from the requirements of §§ 76.91 and 76.93.

§ 76.97 *Waiver petitions.*

Where a petition for waiver of the provisions of §§ 76.91 and 76.93 is filed within fifteen (15) days after a request for program exclusivity is received by the operator of a cable television system, such system need not provide program exclusivity pending the Commission's ruling on the petition or on the question of temporary relief pending further proceedings.

§ 76.151 *Syndicated program exclusivity; extent of protection.*

Upon receiving notification pursuant to § 76.155:

(a) No cable television system, operating in a community in whole or in part within one of the first fifty major television markets shall carry a syndicated program, pursuant to § 76.61(b), (c), (d), or (e), for a period of one year from the date that program is first licensed or sold as a syndicated program to a television station in the United States for television broadcast exhibition;

(b) No cable television system, operating in a community in whole or in part within a major television market, shall carry a syndicated program, pursuant to §§ 76.61(b), (c), (d), or (e), or 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)), while a commercial television station licensed to a designated community in that market has exclusive broadcast exhibition rights (both over-the-air and by cable) to that program: *Provided, however,* That if a commercial station licensed to a designated community in one of the second fifty major television markets has such exclusive rights, a cable television system located in whole or in part within the market of such station may carry such syndicated programs in the following circumstances:

(1) If the program is carried by the cable television system in prime time and will not also be broadcast by a commercial market station in prime time during the period for which there is exclusivity for the program;

(2) For off-network series programs: (i) Prior to the first non-network broadcast in the market of an episode in the series; (ii) After a non-network first-run of the series in the market or after one year from the date of the first non-network broadcast in the market of an episode in the series, whichever occurs first;

(3) For first-run series programs: (i) Prior to the first broadcast in the market of an episode in the series; (ii) After two (2) years from the first broadcast in the market of an episode in the series;

(4) For first-run, non-series programs: (i) Prior to the date the program is available for broadcast in the market under the provision of any contract or license of a television broadcast station in the market; (ii) After two (2) years from the date of such first availability;

(5) For feature films: (i) Prior to the date such film is available for non-network broadcast in the market under the provisions of any contract or license of a television broadcast station in the market; (ii) Two (2) years after the date of such first availability;

(6) For other programs: one day after the first non-network broadcast in the market or one year from the date of purchase of the program for non-network broadcast in the market, whichever occurs first.

NOTES

1. For purposes of § 76.151, a series will be treated as a unit, that is:

(i) No episode of a series (including an episode in a different package of programs in the same series) may be carried by a cable television system, pursuant to §§ 76.61(b), (c), (d), or (e) or 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)) while any episodes of the series are subject to exclusivity protection.

(ii) In the second fifty major television markets, no exclusivity will be afforded a different package of programs in the same series after the initial exclusivity period has terminated.

2. As used in this section, the phrase "broadcast in the market" or "broadcast by a market station" refers to a broadcast by a television station licensed to a designated community in the market.

§ 76.153 *Parties entitled to exclusivity.*

(a) Copyright holders of syndicated programs shall be entitled to the exclusivity provided by § 76.151(a). In order to receive such exclusivity, the copyright holder shall notify each cable system of the exclusivity sought in accordance with the requirements of § 76.155.

(b) Television broadcast stations licensed to designated communities in the major television markets shall be entitled to the exclusivity provided by § 76.151(b). In order to receive such exclusivity, such television stations shall notify each cable system of the exclusivity sought in accordance with the requirements of § 76.155.

(c) In order to be entitled to exclusivity for a program under § 76.151(b), a television station must have an exclusive right to broadcast that program against all other television stations licensed to the same designated community and against broadcast signal cable carriage of that program in the cable system community: *Provided, however,* That such exclusivity will not be recognized in a designated community of another major television market unless such community is wholly within the television market of the station seeking exclusivity. In hyphenated markets, exclusivity will be recognized beyond the specified zone of a station only to the extent the station has exclusivity against other stations in the designated communities of the market. In such instances, exclusivity to the extent a station has obtained it will be recognized within the specified zones of such other stations. It shall be presumed that broadcast rights acquired prior to March 31, 1972, are exclusive for the specified zones of all stations in the market in which the station is located.

§ 76.155 *Notification.*

(a) Syndicated program exclusivity notification shall include the following information:

(1) For purposes of § 76.151(a): (i) The name and address of the copyright holder requesting exclusivity; (ii) The name of the program or series for which exclusivity is sought; (iii) The date of first sale or license of the program for television broadcast as a syndicated program in the United States.

(2) For purposes of § 76.151(b): (i) The name and address of the television broadcast station requesting exclusivity; (ii) The name of the program or series for which exclusivity is sought; (iii) The dates on which exclusivity is to commence and terminate; (iv) As to programs to be deleted from signals regularly carried by the system pursuant to §§ 76.61(b), (c), (d), or (e) and 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)): the name of the program; the call letters of the station from which the deletion is to be made; and the date, time, and duration of the deletion. Information, once supplied pursuant to paragraphs (a)(2)(i), (ii), (iii) or (a)(3) of this section, need not be repeated in any notification supplying the information required by this subparagraph.

(3) For purposes of § 76.151(b) (as it relates to television stations licensed to designated communities in the second fifty major television markets), the following information shall be supplied in addition to that required by paragraph (a)(2) of this section: (i) Whether the program will be broadcast in prime time by the station requesting exclusivity during the period of protection provided in § 76.151(b); (ii) The specific rule pursuant to which exclusivity is requested (e.g., § 76.151(b)(2)—off-network series, § 76.151(b)(3)—first-run series); (iii) For off-network series programs, the number of showings contracted for, including the number of repeat presentations, if any, and the date when the first run is to end.

(b) Subject to the provisions of paragraph (c) of this section, notifications given pursuant to § 76.151 must be received no later than the Monday preceding the calendar week (Sunday-Saturday) during which exclusivity is sought.

(c) Direct notice of a change in the schedule of a television station against which exclusivity is sought, given to a cable television system by a television station seeking exclusivity, shall, if given more than 36 hours prior to the time a deletion is to be made, supersede prior notifications containing the information required by paragraph (a) of this section and any information otherwise relied on pursuant to paragraph (d) of this section.

(d) In determining which programs must be deleted from a television signal when such information is not required to be provided pursuant to paragraph (a) of this section, a cable television system may rely on information from any of the following sources published or made available during the week the deletion is to be made or during the prior week:

(i) newspapers or journals of general circulation in the service area of a television station whose programs may be subject to deletion;

(ii) a television station whose programs may be subject to deletion;

(iii) any television station requesting exclusivity.

§ 76.157 *Exclusivity contracts.*

With respect to each program as to which a television broadcast station licensee or permittee requests exclusivity pursuant to § 76.151, such licensee or permittee shall maintain in its public file an exact copy of those portions of the exclusivity contract, such portions to be signed by both the copyright holder and the licensee or permittee, setting forth in full the provisions pertinent to the duration, nature, and extent of the exclusivity terms concerning broadcast signal exhibition (whether over-the-air or by cable) to which the parties have agreed.

§ 76.159 *Grandfathering.*

The provisions of § 76.151 shall not be deemed to require a cable television system to delete programming from any signal that was carried prior to March 31, 1972, or that any other cable television system in the same community was carrying prior to March 31, 1972: *Provided, however,* That if carriage of a signal has been limited by Commission order to discrete areas of a community, any expansion of service will be subject to the appropriate provisions of the subpart.

Subpart G—Cablecasting

§ 76.201 *Origination cablecasting in conjunction with carriage of broadcast signals.*

(a) No cable television system having 3500 or more subscribers shall carry the signal of any television broadcast station unless the system also operates to a significant extent as a local outlet by origination cablecasting and has availa-

ble facilities for local production and presentation of programs other than automated services. Such origination cablecasting shall be limited to one or more designated channels which may be used for no other purpose.

(b) No cable television system located outside of all major television markets shall enter into any contract, arrangement, or lease for use of its cablecasting facilities which prevents or inhibits the use of such facilities for a substantial portion of time (including the time period 6–11 p.m.) for local programming designed to inform the public on controversial issues of public importance.

(c) No cable television system shall carry the signal of any television broadcast station if the system engages in origination cablecasting, either voluntarily or pursuant to paragraph (a) of this section, unless such cablecasting is conducted in accordance with the provisions of §§ 76.205, 76.209, 76.213, 76.215, 76.217, 76.221, and 76.225.

§ 76.205 *Origination cablecasts by candidates for public office.*

(a) *General requirements.* If a cable television system shall permit any legally qualified candidate for public office to use its origination channel(s) and facilities therefor, it shall afford equal opportunities to all other such candidates for that office: *Provided, however,* That such system shall have no power of censorship over the material cablecast by any such candidate; and *Provided, further,* That an appearance by a legally qualified candidate on any:

(1) Bona fide newscast,

(2) Bona fide news interview,

(3) Bona fide news documentary (if the appearance of the candidate is incidental to the presentation of the subject or subjects covered by the news documentary), or

(4) On-the-spot coverage of bona fide news events (including but not limited to political conventions and activities incidental thereto),

shall not be deemed to be use of the facilities of the system within the meaning of this paragraph.

NOTE.—The fairness doctrine is applicable to these exempt categories. See § 76.209.

(b) *Rates and practices.*

(1) The rates, if any, charged all such candidates for the same office shall be uniform, shall not be rebated by any means direct or indirect, and shall not exceed the charges made for comparable origination use of such facilities for other purposes.

(2) In making facilities available to candidates for public office no cable television system shall make any discrimination between candidates in charges, practices, regulations, facilities, or services for or in connection with the service rendered, or make or give any preference to any candidate for public office or subject any such candidate to any prejudice or disadvantage; nor shall any cable television system make any contract or other agreement which shall have the effect of permitting any legally qualified candidate for any public office to cablecast to the exclusion of other legally qualified candidates for the same public office.

(c) *Records, inspections.* Every cable television system shall keep and permit public inspection of a complete record of all requests for origination cablecasting time made by or on behalf of candidates for public office, together with an appropriate notation showing the disposition made by the system of such requests, the charges made, if any, and the length and time of cablecast, if the request is granted. Such records shall be retained for a period of two years.

(d) *Time of request.* A request for equal opportunities for use of the origination channel(s) must be submitted to the cable television system within one (1) week of the day on which the first prior use, giving rise to the right of equal opportunities, occurred: *Provided, however,* That where a person was not a candidate at the time of such first prior use, he shall submit his request within one (1) week of the first subsequent use after he has become a legally qualified candidate for the office in question.

(e) *Burden of proof.* A candidate requesting such equal opportunities of the cable television system, or complaining of noncompliance to the Commission, shall have the burden of proving that he and his opponent are legally qualified candidates for the same public office.

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§ 76.209 *Fairness doctrine; personal attacks; political editorials.*

(a) A cable television system engaging in origination cablecasting shall afford reasonable opportunity for the discussion of conflicting views on issues of public importance.

NOTE.—See public notice, *Applicability of the Fairness Doctrine in the Handling of Controversial Issues of Public Importance*, 29 F.R. 10415.

(b) When, during such origination cablecasting, an attack is made upon the honesty, character, integrity, or like personal qualities of an identified person or group, the cable television system shall, within a reasonable time and in no event later than one (1) week after the attack, transmit to the person or group attacked: (1) notification of the date, time, and identification of the cablecast; (2) a script or tape (or an accurate summary if a script or tape is not available) of the attack; and (3) an offer of a reasonable opportunity to respond over the system's facilities.

(c) The provisions of paragraph (b) of this section shall not be applicable: (1) to attacks on foreign groups or foreign public figures; (2) to personal attacks which are made by legally qualified candidates, their authorized spokesmen, or those associated with them in the campaign, on other such candidates, their authorized spokesmen, or persons associated with the candidates in the campaign; and (3) to bona fide newscasts, bona fide news interviews, and on-the-spot coverage of a bona fide news event (including commentary or analysis contained in the foregoing programs, but the provisions of paragraph (b) of this section shall be applicable to editorials of the cable television system).

(d) Where a cable television system, in an editorial, (1) endorses or (2) opposes a legally qualified candidate or candidates, the system shall, within 24 hours after the editorial, transmit to respectively (i) the other qualified candidate or candidates for the same office, or (ii) the candidate opposed in the editorial, (*a*) notification of the date, time, and channel of the editorial; (*b*) a script or tape of the editorial; and (*c*) an offer of a reasonable opportunity for a candidate or a spokesman of the candidate to respond over the system's facilities: *Provided, however,* That where such editorials are cablecast within 72 hours prior to the day of the election, the system shall comply with the provisions of this paragraph sufficiently far in advance of the broadcast to enable the candidate or candidates to have a reasonable opportunity to prepare a response and to present it in a timely fashion.

§ 76.213 *Lotteries.*

(a) No cable television system when engaged in origination cablecasting shall transmit or permit to be transmitted on the origination cablecasting channel or channels any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance, or any list of the prizes drawn or awarded by means of any such lottery, gift enterprise, or scheme, whether said list contains any part or all of such prizes.

(b) The determination whether a particular program comes within the provisions of paragraph (a) of this section depends on the facts of each case. However, the Commission will in any event consider that a program comes within the provisions of paragraph (a) of this section if in connection with such program a prize consisting of money or thing of value is awarded to any person whose selection is dependent in whole or in part upon lot or chance, if as a condition of winning or competing for such prize, such winner or winners are required to furnish any money or thing of value or are required to have in their possession any product sold, manufactured, furnished or distributed by a sponsor of a program cablecast on the system in question.

§ 76.215 *Obscenity.*

No cable television system when engaged in origination cablecasting shall transmit or permit to be transmitted on the origination cablecasting channel or channels material that is obscene or indecent.

§ 76.217 *Advertising.*

A cable television system engaged in origination cablecast programming may present advertising material at the beginning and conclusion of each such program and at natural intermissions or breaks within a cablecast: *Provided, however,* That the system itself does not interrupt the presentation of program material in order to intersperse advertising; and *Provided, further,* That advertising material is not presented on or in connection with origination cablecasting in any other manner.

NOTE.—The term "natural intermissions or breaks within a cablecast" means any natural intermission in the program material which is beyond the control of the cable television operator, such as time-out in a sporting event, an intermission in a concert or dramatic performance, a recess in a city council meeting, an intermission in a long motion picture which was present at the time of theatre exhibition, etc.

§ 76.221 *Sponsorship identification.*

(a) When a cable television system engaged in origination cablecasting presents any matter for which money, services, or other valuable consideration is either directly or indirectly paid or promised to, or charged or received by, such system, the system shall make an announcement that such matter is sponsored, paid for, or furnished, either in whole or in part, and by whom or on whose behalf such consideration was supplied: *Provided, however,* That "service or other valuable consideration" shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, such cablecasting unless it is so furnished as consideration for an identification in a cablecast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the cablecast.

(b) Each system engaged in origination cablecasting shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program matter for origination cablecasting, information to enable it to make the announcement required by this section.

(c) In the case of any political program or any program involving the discussion of public controversial issues for which any films, records, transcriptions, talent, script, or other material or services of any kind are furnished, either directly or indirectly, to a cable television system as an inducement to the origination cablecasting of such program, an announcement to this effect shall be made at the beginning and conclusion of such program: *Provided, however,* That only one such announcement need be made in the case of any such program of five (5) minutes' duration or less, either at the beginning or conclusion of the program.

(d) The announcements required by this section are waived with respect to feature motion picture films produced initially and primarily for theatre exhibition.

§ 76.225 *Per-program or per-channel charges for reception of cablecasts.*

(a) Origination or access cablecasting operations for which a per-program or per-channel charge is made shall comply with the following requirements:

(1) Feature films shall not be cablecast which have had general release in theatres anywhere in the United States more than two (2) years prior to their cablecast: *Provided, however,* That during one week of each calendar month one feature film the general release of which occurred more than ten (10) years previously may be cablecast, and more than a single showing of such film may be made during that week; *Provided, further,* That feature films the general release of which occurred between two (2) and ten (10) years before proposed cablecast may be cablecast upon a convincing showing to the Commission that bona fide attempt has been made to sell the films for conventional television broadcasting and that they have been refused, or that the owner of the broadcast rights to the films will not permit them to be televised on conventional television because he has been unable to work out satisfactory arrangements concerning editing for presentation thereon,

or perhaps because he intends never to show them on conventional television since to do so might impair their repetitive box office potential in the future.

NOTE.—As used in this subparagraph, "general release" means the first-run showing of a feature film in a theatre or theatres in an area, on a nonreserved-seat basis, with continuous performances. For first-run showing of feature films on a nonreserved-seat basis which are not considered to be "general release" for purposes of this subparagraph, see note 56 in *Fourth Report and Order in Docket No. 11279*, 15 FCC 2d 466.

(2) Sports events shall not be cablecast which have been televised live on a nonsubscription, regular basis in the community during the two (2) years preceding their proposed cablecast: *Provided, however,* That if the last regular occurrence of a specific event (e.g., summer Olympic games) was more than two (2) years before proposed showing on cable television in a community and the event was at that time televised on conventional television in that community, it shall not be cablecast.

NOTES

1. In determining whether a sports event has been televised in a community on a nonsubscription basis, only commercial television broadcast stations which place a Grade A contour over the entire community will be considered. Such stations need not necessarily be licensed to serve that community.

2. The manner in which this subparagraph will be administered and in which "sports," "sports events," and "televised live on a nonsubscription regular basis" will be construed is explained in paragraphs 288–305 in *Fourth Report and Order in Docket No. 11279*, 15 FCC 2d 466.

(3) No series type of program with interconnected plot or substantially the same cast of principal characters shall be cablecast.

(4) Not more than 90 percent of the total cablecast programming hours shall consist of feature films and sports events combined. The percentage calculations may be made on a yearly basis, but, absent a showing of good cause, the percentage of such programming hours may not exceed 95 percent of the total cablecast programming hours in any calendar month.

(5) No commercial advertising announcements shall be carried on such channels during such operations except, before and after such programs, for promotion of other programs for which a per-program or per-channel charge is made.

§ 76.251 *Minimum channel capacity; access channels.*

(a) No cable television system operating in a community located in whole or in part within a major television market, as defined in § 76.5, shall carry the signal of any television broadcast station unless the system also complies with the following requirements concerning the availability and administration of access channels:

(1) *Minimum channel capacity.* Each such system shall have at least 120 MHz of bandwidth (the equivalent of 20 television broadcast channels) available for immediate or potential use for the totality of cable services to be offered;

(2) *Equivalent amount of bandwidth.* For each Class I cable channel that is utilized, such system shall provide an additional channel, 6 MHz in width, suitable for transmission of Class II or Class III signals (see § 76.5 for cable channel definitions);

(3) *Two-way communications.* Each such system shall maintain a plant having technical capacity for nonvoice return communications;

(4) *Public access channel.* Each such system shall maintain at least one specially designated, noncommercial public access channel available on a first-come, nondiscriminatory basis. The system shall maintain and have available for public use at least the minimal equipment and facilities necessary for the production of programming for such a channel. See also § 76.201;

(5) *Education access channel.* Each such system shall maintain at least one specially designated channel for use by local educational authorities;

(6) *Local government access channel.* Each such system shall maintain at least one specially designated channel for local government uses;

(7) *Leased access channels.* Having satisfied the origination cablecasting requirements of § 76.201, and the requirements of paragraph (a)(4), (a)(5) and (a)(6) of this section for specially designated access channels, such system shall offer other portions of its nonbroadcast bandwidth, including unused portions of the specially designated channels, for leased access services. However, these leased channel operations shall be undertaken with the express understanding that they are subject to displacement if there is a demand to use the channels for their specially designated purposes. On at least one of the leased channels, priority shall be given part-time users;

(8) *Expansion of access channel capacity.* Whenever all of the channels described in paragraphs (a)(4) through (a)(7) are in use during 80 percent of the weekdays (Monday-Friday) for 80 percent of the time during any consecutive three-hour period for six consecutive weeks, such system shall have six months in which to make a new channel available for any or all of the above-described purposes;

(9) *Program content control.* Each such system shall exercise no control over program content on any of the channels described in paragraphs (a)(4) through (a)(7) of this section; however, this limitation shall not prevent it from taking appropriate steps to insure compliance with the operating rules described in paragraph (a)(11);

(10) *Assessment of costs.* (i) From the commencement of cable television service in the community of such system until five (5) years after completion of the system's basic trunk line, the channels described in paragraphs (a)(5) and (a)(6) of this section shall be made available without charge.

(ii) One of the public access channels described in paragraph (a)(4) of this section shall always be made available without charge, except that production costs may be assessed for live studio presentations exceeding five minutes. Such production costs and any fees for use of other public access channels shall be consistent with the goal of affording the public a low-cost means of television access;

(11) *Operating rules.* (i) For the public access channel(s), such system shall establish rules requiring first-come nondiscriminatory access; prohibiting the presentation of: any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information; and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

(ii) For the educational access channel(s), such system shall establish rules prohibiting the presentation of: any advertising material designed to promote the sale of commercial products or services (including advertising by or on behalf of candidates for public office); lottery information; and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting access time. Such a record shall be retained for a period of two years.

(iii) For the leased channel(s), such system shall establish rules requiring first-come, non-discriminatory access; prohibiting the presentation of lottery information and obscene or indecent matter (modeled after the prohibitions in §§ 76.213 and 76.215, respectively); requiring sponsorship identification (see § 76.221); specifying an appropriate rate schedule; and permitting public inspection of a complete record of the names and addresses of all persons or groups requesting time. Such a record shall be retained for a period of two years.

(iv) The operating rules governing public access, educational, and leased channels shall be filed with the Commission within 90 days after a system first activates any such channels, and shall be available for public inspec-

tion at the system's offices. Except on specific authorization, or with respect to the operation of the local government access channel, no local entity shall prescribe any other rules concerning the number or manner of operation of access channels; however, franchise specifications concerning the number of such channels for systems in operation prior to March 31, 1972 shall continue in effect.

(b) No cable television system operating in a community located wholly outside of all major television markets shall be required by a local entity to exceed the provisions concerning the availability and administration of access channels contained in paragraph (a). If a system provides any access programming, it shall comply with paragraph (a)(9), (a)(10), and (a)(11).

(c) The provisions of this section shall apply to all cable television systems that commence operations on or after March 31, 1972 in a community located in whole or in part within a major television market. Systems that commenced operations prior to March 31, 1972 shall comply on or before March 31, 1977; *Provided, however,* That, if such systems begin to provide any of the access services described above at an earlier date, they shall comply with paragraph (a)(9), (a)(10), and (a)(11) of this section at that time; *And provided, further,* That if such systems receive certificates of compliance to add television signals to their operations at an earlier date, they shall comply with paragraph (a)(4) through (a)(11) of this section at the time of such addition.

SUBPART H—GENERAL OPERATING REQUIREMENTS

§ 76.301 *Copies of rules.*

The operator of a cable television system shall have a current copy of Part 76, and is expected to be familiar with the rules governing cable television systems. Copies of the Commission's rules may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at nominal cost.

§ 76.305 *Logging and record-keeping requirements.*

(a) *Carriage of certain television signals.* (1) A cable television system operating in a community located in whole or in part within a major television market shall keep and permit public inspection of a record of all television signals carried pursuant to §§ 76.61(b), (c), (d), or (e) or 76.63(a) (as it refers to § 76.61(b), (c), (d), or (e)). Such record shall include the call letters and location of each such station whose signals are carried, the date and specific starting and ending time of such carriage, and the names of the programs scheduled to be shown. This record shall be retained for a period of two years.

(2) This paragraph shall be applicable only to television signals whose carriage commenced on or after March 31, 1972.

(b) *Origination cablecasts by candidates for public office.* See § 76.205(c).

(c) *Public access channels.* See § 76.251(a)(11).

(d) *Educational access channels.* See § 76.251(a)(11).

(e) *Leased access channels.* See § 76.251(a)(11).

SUBPART I—FORMS AND REPORTS

§ 76.401 *Annual report of cable television systems.*

An "Annual Report of Cable Television Systems" (FCC Form 325) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before March 1 of each year, for the preceding calendar year.

§ 76.405 *Cable television annual financial report.*

A "Cable Television Annual Financial Report" (FCC Form 326) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before April 1 of each year, for the preceding calendar year: *Provided, however,* That a cable television system which commences operations prior to December 1, 1971, may report on a fiscal year basis, in which case Form 326 shall be filed annually no more than ninety (90) days after the close of the system's fiscal year.

§ 76.406 *Computation of cable television annual fee.*

A "Computation of Cable Television Annual Fee" (FCC Form 326–A) shall be filed with the Commission for each cable television system, as defined in § 76.5, on or before April 1 of each year, for the preceding calendar year, to accompany payment of the cable television annual fee. See §§ 1.1101 and 1.1116.

SUBPART J—DIVERSIFICATION OF CONTROL

§ 76.501 *Cross-ownership.*

(a) No cable television system (including all parties under common control) shall carry the signal of any television broadcast station if such system directly or indirectly owns, operates, controls, or has an interest in:

(1) A national television network (such as ABC, CBS, or NBC); or

(2) A television broadcast station whose predicted Grade B contour, computed in accordance with § 73.684 of this chapter, overlaps in whole or in part the service area of such system (i.e., the area within which the system is serving subscribers); or

(3) A television translator station licensed to the community of such system.

NOTES

1. The word "control" as used herein is not limited to majority stock ownership, but includes actual working control in whatever manner exercised.

2. The word "interest" as used herein includes, in the case of corporations, common officers or directors and partial (as well as total) ownership interests represented by ownership of voting stock.

3. In applying the provisions of paragraph (a) of this section to the stockholders of a corporation which has more than 50 stockholders:

(a) Only those stockholders need be considered who are officers or directors or who directly or indirectly own 1 percent or more of the outstanding voting stock.

(b) Stock ownership by an investment company, as defined in 15 U.S.C. Section 80a–3 (commonly called a mutual fund), need be considered only if it directly or indirectly owns 3 percent or more of the outstanding voting stock or if officers or directors of the corporation are representatives of the investment company. Holdings by investment companies under common management shall be aggregated. If an investment company directly or indirectly owns voting stock in an intermediate company which in turn directly or indirectly owns 50 percent or more of the voting stock of the corporation, the investment company shall be considered to own the same percentage of outstanding shares of such corporation as it owns of the intermediate company: *Provided, however,* That the holding of the investment company need not be considered where the intermediate company owns less than 50 percent of the voting stock, but officers or directors of the corporation who are representatives of the intermediate company shall be deemed to be representatives of the investment company.

(c) In cases where record and beneficial ownership of voting stock is not identical (e.g., bank nominees holding stock as record owners for the benefit of mutual funds, brokerage houses holding stock in street name for the benefit of customers, trusts holding stock as record owners for the benefit of designated parties), the party having the right to determine how the stock will be voted will be considered to own it for the purposes of this section.

(b) The provisions of paragraph (a) of this section are not effective until August 10, 1973, as to ownership interests proscribed herein if such interests were in existence on or before July 1, 1970 (e.g., if a franchise were in existence on

or before July 1, 1970): *Provided, however,* That the provisions of paragraph (a) of this section are effective on August 10, 1970, as to such interests acquired after July 1, 1970.

SUBPART K—TECHNICAL STANDARDS

§ 76.601 *Performance tests.*

(a) The operator of each cable television system shall be responsible for insuring that each such system is designed, installed, and operated in a manner that fully complies with the provisions of this subpart. Each system operator shall be prepared to show, on request by an authorized representative of the Commission, that the system does, in fact, comply with the rules.

(b) The operator of each cable television system shall maintain at its local office a current listing of the cable television channels which that system delivers to its subscribers and the station or stations whose signals are delivered on each Class I cable television channel, and shall specify for each subscriber the minimum visual signal level it maintains on each Class I cable television channel under normal operating conditions.

(c) The operator of each cable television system shall conduct complete performance tests of that system at least once each calendar year (at intervals not to exceed 14 months) and shall maintain the resulting test data on file at the system's local office for at least five (5) years. It shall be made available for inspection by the Commission on request. The performance tests shall be directed at determining the extent to which the system complies with all the technical standards set forth in § 76.605. The tests shall be made on each Class I cable television channel specified pursuant to paragraph (b) of this section, and shall include measurements made at no less than three widely separated points in the system, at least one of which is representative of terminals most distant from the system input in terms of cable distance. The measurements may be taken at convenient monitoring points in the cable network, provided that data shall be included to relate the measured performance to the system performance as would be viewed from a nearby subscriber terminal. A description of instruments and procedure and a statement of the qualifications of the person performing the tests shall be included.

(d) Successful completion of the performance tests required by paragraph (c) of this section does not relieve the system of the obligation to comply with all pertinent technical standards at all subscriber terminals. Additional tests, repeat tests, or tests involving specified subscriber terminals may be required by the Commission in order to secure compliance with the technical standards.

(e) All of the provisions of this section shall become effective March 31, 1972.

§ 76.605 *Technical standards.*

(a) The following requirements apply to the performance of a cable television system as measured at any subscriber terminal with a matched termination, and to each of the Class I cable television channels in the system:

(1) The frequency boundaries of cable television channels delivered to subscriber terminals shall conform to those set forth in § 73.603(a) of this chapter: *Provided, however,* That on special application including an adequate showing of public interest, other channel arrangements may be approved.

(2) The frequency of the visual carrier shall be maintained 1.25 MHz ±25 kHz above the lower boundary of the cable television channel, except that, in those systems that supply subscribers with a converter in order to facilitate delivery of cable television channels, the frequency of the visual carrier at the output of each such converter shall be maintained 1.25 MHz ±250 kHz above the lower frequency boundary of the cable television channel.

(3) The frequency of the aural carrier shall be 4.5 MHz ± 1 kHz above the frequency of the visual carrier.

(4) The visual signal level, across a terminating impedance which correctly matches the internal impedance of the cable system as viewed from the subscriber terminals, shall be not less than the following appropriate value:

Internal impedance:

	Visual signal level (millivolt)
75 ohms	1
300 ohms	2

(At other impedance values, the minimum visual signal level shall be $\sqrt{.0133\ Z}$ millivolts, where Z is the appropriate impedance value.)

(5) The visual signal level on each channel shall not vary more than 12 decibels overall, and shall be maintained within—(i) 3 decibels of the visual signal level of any visual carrier within 6 MHz nominal frequency separation, and (ii) 12 decibels of the visual signal level on any other channel, and (iii) A maximum level such that signal degradation due to overload in the subscriber's receiver does not occur.

(6) The rms voltage of the aural signal shall be maintained between 13 and 17 decibels below the associated visual signal level.

(7) The peak-to-peak variation in visual signal level caused by undesired low frequency disturbances (hum or repetitive transients) generated within the system, or by inadequate low frequency response, shall not exceed 5 percent of the visual signal level.

(8) The channel frequency response shall be within a range of ±2 decibels for all frequencies within −1 MHz and +4 MHz of the visual carrier frequency.

(9) The ratio of visual signal level to system noise, and of visual signal level to any undesired co-channel television signal operating on proper offset assignment, shall be not less than 36 decibels. This requirement is applicable to: (i) Each signal which is delivered by a cable television system to subscribers within the predicted Grade B contour for that signal, or (ii) each signal which is first picked up within its predicted Grade B contour.

(10) The ratio of visual signal level to the rms amplitude of any coherent disturbances such as intermodulation products or discrete-frequency interfering signals not operating on proper offset assignments shall not be less than 46 decibels.

(11) The terminal isolation provided each subscriber shall be not less than 18 decibels, but in any event, shall be sufficient to prevent reflections caused by open-circuited or short-circuited subscriber terminals from producing visible picture impairments at any other subscriber terminal.

(12) Radiation from a cable television system shall be limited as follows:

Frequencies	Radiation limit (microvolts/meter)	Distance (feet)
Up to and including 54 MHz	15	100
Over 54 up to and including 216 MHz	20	10
Over 216 MHz	15	100

(b) Cable television systems distributing signals by using multiple cable techniques or specialized receiving devices, and which, because of their basic design, cannot comply with one or more of the technical standards set forth in paragraph (a), may be permitted to operate provided that an adequate showing is made which establishes that the public interest is benefited. In such instances the Commission may prescribe special technical requirements to ensure that subscribers to such systems are provided with a good quality of service.

(c) Paragraph (a)(12) of this section shall become effective March 31, 1972. All other provisions of this section shall become effective in accordance with the following schedule:

	Effective date
Cable television systems in operation prior to Mar. 31, 1972	Mar. 31, 1977
Cable television systems commencing operations on or after Mar. 31, 1972	Mar. 31, 1972

§ 76.609 *Measurements.*

(a) Measurements made to demonstrate conformity with the performance requirements set forth in §§ 76.701 and 76.605 shall be made under conditions which reflect system performance during normal operations, including the effect of any microwave relay operated in the Cable Television Relay (CAR) Service

intervening between pickup antenna and the cable distribution network. Amplifiers shall be operated at normal gains, either by the insertion of appropriate signals or by manual adjustment. Special signals inserted in a cable television channel for measurement purposes should be operated at levels approximating those used for normal operation. Pilot tones, auxiliary or substitute signals, and non-television signals normally carried on the cable television system should be operated at normal levels to the extent possible. Some exemplary, but not mandatory, measurement procedures are set forth in this section.

(b) When it may be necessary to remove the television signal normally carried on a cable television channel in order to facilitate a performance measurement, it will be permissible to disconnect the antenna which serves the channel under measurement and to substitute therefor a matching resistance termination. Other antennas and inputs should remain connected and normal signal levels should be maintained on other channels.

(c) As may be necessary to ensure satisfactory service to a subscriber, the Commission may require additional tests to demonstrate system performance or may specify the use of different test procedures.

(d) The frequency response of a cable television channel may be determined by one of the following methods, as appropriate:

(1) By using a swept frequency or a manually variable signal generator at the sending end and a calibrated attenuator and frequency-selective voltmeter at the subscriber terminal; or

(2) By using a multi-burst generator and modulator at the sending end and a demodulator and oscilloscope display at the subscriber terminal.

(e) System noise may be measured using a frequency-selective voltmeter (field strength meter) which has been suitably calibrated to indicate rms noise or average power level and which has a known bandwidth. With the system operating at normal level and with a properly matched resistive termination substituted for the antenna, noise power indications at the subscriber terminal are taken in successive increments of frequency equal to the bandwidth of the frequency-selective voltmeter, summing the power indications to obtain the total noise power present over a 4 MHz band centered within the cable television channel. If it is established that the noise level is constant within this bandwidth, a single measurement may be taken which is corrected by an appropriate factor representing the ratio of 4 MHz to the noise bandwidth of the frequency-selective voltmeter. If an amplifier is inserted between the frequency-selective voltmeter and the subscriber terminal in order to facilitate this measurement, it should have a bandwidth of at least 4 MHz and appropriate corrections must be made to account for its gain and noise figure. Alternatively, measurements made in accordance with the NCTA standard on noise measurement (NCTA Standard 005–0669) may be employed.

(f) The amplitude of discrete frequency interfering signals within a cable television channel may be determined with either a spectrum analyzer or with a frequency-selective voltmeter (field strength meter), which instruments have been calibrated for adequate accuracy. If calibration accuracy is in doubt, measurements may be referenced to a calibrated signal generator, or a calibrated variable attenuator, substituted at the point of measurement. If an amplifier is used between the subscriber terminal and the measuring instrument, appropriate corrections must be made to account for its gain.

(g) The terminal isolation between any two terminals in the system may be measured by applying a signal of known amplitude to one and measuring the amplitude of that signal at the other terminal. The frequency of the signal should be close to the mid-frequency of the channel being tested.

(h) Measurements to determine the field strength of radio frequency energy radiated by cable television systems shall be made in accordance with standard engineering procedures. Measurements made on frequencies above 25 MHz shall include the following:

(1) A field strength meter of adequate accuracy using a horizontal dipole antenna shall be employed.

(2) Field strength shall be expressed in terms of the rms value of synchronizing peak for each cable television channel for which radiation can be measured.

(3) The dipole antenna shall be placed 10 feet above the ground and positioned directly below the system components. Where such placement results in a separation of less than 10 feet between the center of the dipole antenna and the system components, the dipole shall be repositioned to provide a separation of 10 feet.

(4) The horizontal dipole antenna shall be rotated about a vertical axis and the maximum meter reading shall be used.

(5) Measurements shall be made where other conductors are 10 or more feet away from the measuring antenna.

§ 76.613 *Interference from a cable television system.*

In the event that the operation of a cable television system causes harmful interference to reception of authorized radio stations, the operator of the system shall immediately take whatever steps are necessary to remedy the interference.

§ 76.617 *Responsibility for receiver-generated interference.*

Interference generated by a radio or television receiver shall be the responsibility of the receiver operator in accordance with the provisions of Part 15, Subpart C, of this chapter: *Provided, however,* That the operator of a cable television system to which the receiver is connected shall be responsible for the suppression of receiver-generated interference that is distributed by the system when the interfering signals are introduced into the system at the receiver.

F. PART 78—CABLE TELEVISION RELAY SERVICE

Is added to read as follows:

PART 78 CABLE TELEVISION RELAY SERVICE

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SUBPART A—GENERAL

§ 78.1 *Purpose.*

The rules and regulations set forth in this part provide for the licensing and operation of fixed or mobile cable television relay stations used for the transmission of television and related audio signals, signals of standard and FM broadcast stations, signals of instructional television fixed stations, and cablecasting from the point of reception to a terminal point from which the signals are distributed to the public by cable.

§ 78.3 *Other pertinent rules.*

Other pertinent provisions of the Commission's rules and regulations relating to the Cable Television Relay Service are included in the following parts of this chapter:

Part 0—Commission Organization.
Part 1—Practice and Procedure.
Part 76—Cable Television Service.

§ 78.5 *Definitions.*

For purposes of this part, the following definitions are applicable. For other definitions, see Part 76 (Cable Television Service) of this chapter.

(a) *Cable television relay (CAR) station.* A fixed or mobile station used for the transmission of television and related audio signals, signals of standard and FM broadcast stations, signals of instructional television fixed stations, and cablecasting from the point of reception to a terminal point from which the signals are distributed to the public by cable.

NOTE.—Except where the rules contained in this part make separate provision, the term "cable television relay" or "CAR" includes the term "local distribution service" or "LDS", the term "cable television relay studio to headend link" or "SHL," and the term "cable television relay pickup", as defined in paragraphs (b), (c), and (d) of this section.

(b) *Local distribution service (LDS) station.* A fixed CAR station used within a cable television system or systems for the transmission of television signals and related audio signals, signals of standard and FM broadcast stations, signals of instructional television fixed stations, and cablecasting from a local transmission point to one or more receiving points, from which the communications are distributed to the public by cable. LDS stations may also engage in repeated operation.

(c) *Cable television relay studio to headend link (SHL) station.* A fixed CAR station used for the transmission of television program material and related communications from a cable television studio to the headend of a cable television system.

(d) *Cable television relay pickup station.* A land mobile CAR station used for the transmission of television signals and related communications from the scenes of events occurring at points removed from cable television studios to cable television studios or headends.

(e) *Remote control operation.* Operation of a station by a qualified operator on duty at a control position from which the transmitter is not visible but which control position is equipped with suitable control and telemetering circuits so that the essential functions that could be performed at the transmitter can also be performed from the control point.

(f) *Attended operation.* Operation of a station by a qualified operator on duty at the place where the transmitting apparatus is located with the transmitter in plain view of the operator.

(g) *Unattended operation.* Operation of a station by automatic means whereby the transmitter is turned on and off and performs its functions without attention by a qualified operator.

SUBPART B—APPLICATIONS AND LICENSES

§ 78.11 *Permissible service.*

(a) Cable television relay stations are authorized to relay television broadcast and related audio signals, the signals of standard and FM broadcast stations, signals of instructional television fixed stations, and cablecasting intended for use solely by one or more cable television systems. LDS stations are authorized to relay television broadcast and related audio signals, the signals of standard and FM broadcast stations, signals of instructional television fixed stations, cablecasting, and such other communications as may be authorized by the Commission. Relaying includes retransmission of signals by intermediate relay stations in the system. CAR licensees may interconnect their facilities with those of other CAR or common carrier licensees, and may also retransmit the signals of such CAR or common carrier stations, provided that the program material retransmitted meets the requirements of this paragraph.

(b) The transmitter of a cable television relay station using FM transmission may be multiplexed to provide additional communication channels for the transmission of standard and FM broadcast station programs and operational communications directly related to the technical operation of the relay system (including voice communications, telemetry signals, alerting signals, fault reporting signals, and control signals). A cable television relay station will be authorized only where the principal use is the transmission of television broadcast program material or cablecasting; *Provided, however,* That this requirement shall not apply to LDS stations.

(c) Cable television relay station licenses may be issued to cable television owners or operators and to cooperative enterprises wholly owned by cable television owners or operators.

(d) Cable television relay systems shall supply program material to cable television systems only in the following circumstances:

(1) Where the licensee of the CAR station or system is owner or operator of the cable television systems supplied with program material; or

(2) Where the licensee of the CAR station or system supplies program material to cable television systems either without charge or on a nonprofit, cost-sharing basis pursuant to a written contract between the parties involved which provides that the CAR licensee shall have exclusive control over the operation of the cable television relay stations licensed to him and that contributions to capital and operating expenses are accepted only on a cost-sharing, nonprofit basis, prorated on an equitable basis among all cable television systems being supplied with program material in whole or in part. Records showing the cost of the service and its nonprofit, cost-sharing nature shall be maintained by the CAR licensee and held available for inspection by the Commission.

(e) A CAR licensee shall file a notification with the Commission thirty (30) days prior to supplying program material to any cable television system that has not been specified in its license application or in a prior notification to the Commission containing the following information:

(1) A copy of the contract between the parties pursuant to which the program material will be supplied;

(2) Network and station origin of the signals to be transmitted or, if cablecasting, the intended source and general nature of the programming;

(3) Location of the point at which reception will be made;

(4) Location of intermediate relay stations in the system through which the signal will be transmitted;

(5) Location of the relay station that will supply the program material to the cable television system;

(6) Name of each community to be served by the cable television system;

(7) Current number of subscribers of the cable television system; and

(8) Identity of the owner or owners of the cable television system.

The CAR licensee may institute the service described in such notification thirty days after filing unless the Commission during that period notifies the licensee that the information supplied is inadequate or that the proposed service is not authorized under these rules, and the licensee shall then have the right to amend or file another notification to remedy the inadequacy or defect and to institute the service thirty days thereafter, or at such earlier date as the Commission may set upon finding that the inadequacy or defect has been remedied.

(f) Each CAR licensee providing program material to a cable television system pursuant to paragraph (d)(2) of this section shall file an annual report with the Commission within ninety days of the close of its fiscal year containing:

(1) A financial statement of such operations in sufficient detail to show compliance with the requirements of this section;

(2) The names of those who have shared the use of the licensed facilities;

(3) A brief statement as to the use of the facilities made by each person sharing the use and an estimate of the approximate percentage of use by each participant; and

(4) Any change in the items previously reported to the Commission in the application for the license or in a notification under this section.

(g) The provisions of §§ 78.11(d) and 78.13 shall not apply to a licensee who has been licensed in the CAR service pursuant to § 21.709 of this chapter, except that § 78.11(d) shall apply with respect to facilities added or cable television systems first served after February 1, 1966.

(h) Except during momentary circuit failure and brief transition periods, a cable television relay station shall not be permitted to radiate unless it is supplying programs to one or more users.

(i) The license of a CAR pickup station authorizes the transmission of program material, and related communications necessary to the accomplishment of such transmission, from the scenes of events occurring in places other than a cable television studio, to the studio or headend of its associated cable television system, or to such other cable television systems as are carrying the same program material. CAR pickup stations may be used to provide temporary CAR studio to headend links or car circuits consistent with this part without further authority of the Commission; *Provided, however,* That prior Commission authority shall be obtained if the transmitting antenna to be installed will increase the height of any natural formation or man-made structure by more than 20 feet and will be in existence for a period of more than 2 consecutive days.

§ 78.13 *Eligibility for license.*

A license for a cable television relay station will be issued only to the owner of a cable television system or to a cooperative enterprise wholly owned by cable television owners or operators upon a showing that applicant is qualified under the Communications Act of 1934, that frequencies are available for the proposed operation, and that the public interest, convenience, and necessity will be served by a grant thereof.

§ 78.15 *Contents of applications.*

(a) An application for a new cable television relay station or for changes in the facilities of an existing station shall specify the call sign and location of any television, standard, or FM broadcast stations or instructional television fixed

stations to be received and the intended source and general nature of any cablecasting to be relayed, the location of the point at which reception will be made, the number and location of any intermediate relay stations in the system, the location of the terminal receiving point(s) in the system, the name or names of the communities to be served by the cable television system or systems to which the programs will be delivered, the current number of subscribers of each such cable television system, and the name of any other licensee to whom the same program will be delivered through interconnection facilities. An application for a new LDS station or for changes in the facilities of an existing station shall specify in detail the precise nature and technical operation of any service other than the relay of television broadcast signals proposed to be provided on the LDS facilities, including any sections of this part for which waiver is sought.

(b) An application for any authorization subject to § 78.27 for a station used or to be used for the transmission of television broadcast signals shall contain a statement that the applicant has notified the licensee or permittee of any television broadcast station within whose predicted Grade B contour the system operates or will operate, the licensee or permittee of any 100-watt or higher power television translator station licensed to the community of the system, the franchising authority, the superintendent of schools in the community of the system, and any local or state educational television authorities, of the filing of the application. Such statement of the applicant shall be supported by copies of the letters of notification. The notice shall include the fact of intended filing by the applicant, the name and mailing address of each cable television system served or to be served under the authorization sought, the community and area served by each cable television system, and the television, standard broadcast, FM, and instructional television fixed stations whose signals will be carried by each cable television system.

(c) An application for a construction permit for a new CAR pickup station or for renewal of license of an existing station shall designate the cable television system with which it is to be operated and specify the area in which the proposed operation is intended.

(d) An application for a CAR studio to headend link or LDS station construction permit shall contain a statement that the applicant has investigated the possibility of using cable rather than microwave and the reasons why it was decided to use microwave rather than cable.

NOTE.—As used in § 78.15 the term "predicted Grade B contour" means the field intensity contour defined in § 73.683(a) of this chapter, the location of which is determined exclusively by means of the calculations prescribed in § 73.684 of this chapter.

§ 78.17 *Frequency assignments.*

(a) The following channels may be assigned to cable television relay stations:

(1) For cable television relay stations using FM transmission:

Group A (MHz)	Group B (MHz)
12,700–12,725	12,712.5–12,737.5
12,725–12,750	12,737.5–12,762.5
12,750–12,775	12,762.5–12,787.5
12,775–12,800	12,787.5–12,812.5
12,800–12,825	12,812.5–12,837.5
12,825–12,850	12,837.5–12,862.5
12,850–12,875	12,862.5–12,887.5
12,875–12,900	12,887.5–12,912.5
12,900–12,925	12,912.5–12,937.5
12,925–12,950	

(2) Cable television relay stations using vestigial sideband AM transmission:

Group C (MHz)	Group D (MHz)
12,700.5–12,706.5	12,759.7–12,765.7
12,706.5–12,712.5	12,765.7–12,771.7
12,712.5–12,718.5	12,771.7–12,777.7
12,718.5–12,722.5 [1]	12,777.7–12,781.7 [1]
12,722.5–12,728.5	12,781.7–12,787.7
12,728.5–12,734.5	12,787.7–12,793.7
12,734.5–12,740.5	12,793.7–12,799.7
12,740.5–12,746.5	12,799.7–12,805.7
12,746.5–12,752.5	12,805.7–12,811.7
12,752.5–12,758.5	12,811.7–12,817.7
12,820.5–12,826.5	12,879.7–12,885.7
12,826.5–12,832.5	12,885.7–12,891.7
12,832.5–12,838.5	12,891.7–12,897.7
12,838.5–12,844.5	12,897.7–12,903.7
12,844.5–12,850.5	12,903.7–12,909.7
12,850.5–12,856.5	12,909.7–12,915.7
12,856.5–12,862.5	12,915.7–12,921.7
12,862.5–12,868.5	12,921.7–12,927.7
12,868.5–12,874.5	12,927.7–12,933.7
Auxiliary Channels (MHz)	
12,933.7–12,939.7	12,939.7–12,945.7

[1] For transmission of pilot subcarriers, or other authorized narrow band signals.

(3) For cable television relay stations using frequency modulation to transmit a baseband of frequency-division multiplexed standard television signals:

(i) When the baseband comprises three or four standard television signals:

Group E (MHz)	Group F (MHz)
12,700–12,775	12,725–12,800
12,775–12,850	12,800–12,875
12,850–12,925	12,875–12,950

(ii) When the baseband comprises five to eight standard television signals:

Group G (MHz)	
12,700–12,825	12,825–12,950

(iii) When the baseband comprises nine or more standard television signals:

Group H (MHz)
12,700–12,950

(b) Television pickup, STL, and intercity relay stations may be assigned channels in the band 12,700–12,950 MHz subject to the condition that no harmful interference is caused to cable television relay stations authorized at the time of such grants. Similarly, new cable television relay stations shall not cause harmful interference to television STL and intercity relay stations authorized at the time of such grants. Television pickup stations and CAR pickup stations will be assigned channels in the band on a coequal basis subject to the condition that they accept interference from and cause no interference to existing or subsequently authorized television STL, television intercity relay, fixed CAR, CAR SHL or LDS stations. A cable television system operator will normally be limited in any one area to the assignment of not more than three channels for CAR pickup use; *Provided, however,* That additional channels may be assigned upon a satisfactory showing that additional channels are necessary and are available.

(c) An application for a cable television relay station shall be specific with regard to the channel or channels requested. Channels shall be identified by the channel-edge frequencies listed in paragraph (a) of this section.

(d) For cable television relay stations using frequency modulation to transmit a single television signal, channels normally shall be selected from Group A. Channels in Group B will be assigned only on a case-by-case basis upon an adequate showing that Group A channels cannot be used and that such use will not degrade the technical quality of service provided in Group A channels to the extent that the Group A channels could not be used. On-the-air tests may be required before channels in Group B are permitted to be placed in regular use.

(e) For cable television relay stations using vestigial sideband AM transmission, channels from only Group C or Group D normally will be assigned a station, although upon adequate showing variations in the use of channels in Groups C and D may be authorized on a case-by-case basis in order to avoid potential interference or to permit a more efficient use. The use of channels in both Groups C and D may be authorized for repeated operation, or where the channels in one group are not sufficient to accommodate the services proposed to be provided on the cable television system, if the Commission finds that such use of channels in both groups would serve the public interest.

(f) For vestigial sideband AM transmission, the assigned visual carrier frequency for each channel listed in Group C or Group D shall be 1.25 MHz above the lower channel-edge frequency. The center frequency for the accompanying FM aural carrier in each channel shall be 4.5 MHz above the corresponding visual carrier frequency.

(g) For cable television relay stations using frequency modulation to transmit a baseband of frequency-division multiplexed standard television signals, channels will be assigned from Groups E, F, G, and H according to the number of standard television signals which comprise the baseband, as set forth in paragraph (a)(3) of this section. The station license will indicate the number of standard television signals authorized to be multiplexed for transmission in the assigned channel. The transmission of additional standard television signals may be authorized upon a showing that such can be provided without degradation of the technical quality of the service, and that interference will not be caused to existing operations.

(h) Should any conflict arise among applications for stations in this band, priority will be based on the filing date of an application completed in accordance with the instructions thereon.

§ 78.19 *Interference.*

(a) Applicants for cable television relay stations shall endeavor to select an assignable frequency or frequencies which will be least likely to result in interference to other licensees in the same area.

(b) Applicants for cable television relay stations shall take full advantage of all known techniques, such as the geometric arrangement of transmitters and receivers, the use of minimum power required to provide the needed service, and the use of highly directive transmitting and receiving antenna systems, to prevent interference to the reception of television STL, television intercity relay, and other CAR stations.

§ 78.21 *Notification of filing of applications.*

(a) *Radio Astronomy and Radio Research Installations.* In order to minimize harmful interference at the National Radio Astronomy Observatory site located at Green Bank, Pocahontas County, West Virginia, and at the Naval Radio Research Observatory at Sugar Grove, Pendleton County, West Virginia, an applicant for authority to construct a cable television relay station, except a CAR pickup station, or for authority to make changes in the frequency, power, antenna height, or antenna directivity of an existing station within the area bounded by 39°15′N on the north, 78°30′W on the east, 37°30′N on the south and 80°30′W on the west shall, at the time of filing such application with the Commission, simultaneously notify the Director, National Radio Astronomy Observatory, P.O. Box No. 2, Green Bank, West Virginia 24944, in writing, of the technical particulars of the proposed station. Such notification shall include the geographical coordinates of the antenna, antenna height, antenna directivity if any, proposed frequency, type of emission, and power. In addition, the applicant shall indicate in his application to the Commission the date notification was made to the Observatory. After receipt of such application, the Commission will allow a period of 20

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days for comments or objections in response to the notifications indicated. If an objection to the proposed operation is received during the 20-day period from the National Radio Astronomy Observatory for itself or on behalf of the Naval Radio Research Observatory, the Commission will consider all aspects of the problem and take whatever action is deemed appropriate.

(b) *Location on Government land.* Applicants proposing to construct a cable television relay station on a site located under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

§ 78.23 *Equipment tests.*

(a) During the process of construction of a cable television relay station, the permittee, after notifying the Commission and Engineer in Charge of the district in which the station is located, may, without further authority of the Commission, conduct equipment tests for the purpose of such adjustments and measurements as may be necessary to assure compliance with the terms of the construction permit, the technical provisions of the application therefor, the rules and regulations, and the applicable engineering standards.

(b) The Commission may notify the permittee to conduct no tests or may cancel, suspend, or change the date for the beginning of equipment tests as and when such action may appear to be in the public interest, convenience, and necessity.

(c) Equipment tests may be continued so long as the construction permit shall remain valid.

(d) The authorization for tests contained in this section shall not be construed as constituting a license to operate but as a necessary part of construction.

§ 78.25 *Service or program tests.*

(a) Upon completion of construction of a cable television relay station in accordance with the terms of the construction permit, the technical provisions of the application therefor, and the rules and regulations and applicable engineering standards, and when an application for station license has been filed showing the station to be in satisfactory operating condition, the permittee of such station may, without further authority of the Commission, conduct service or program tests: *Provided, however,* That the Engineer in Charge of the district in which the station is located and the Commission are notified at least two (2) days (not including Sundays and Saturdays and legal holidays when the offices of the Commission are not open) in advance of the beginning of such operation.

(b) The Commission may notify the permittee to conduct no tests or may cancel, suspend, or change the date for the beginning of such tests as and when such action may appear to be in the public interest, convenience, and necessity.

(c) Unless sooner suspended or revoked, program test authority will continue valid during Commission consideration of the application for license, and during this period further extension of the construction permit is not required. Program test authority shall be automatically terminated by final determination upon the application for station license.

(d) The authorization for tests contained in this section shall not be construed as approval by the Commission of the application for station license.

§ 78.27 *License conditions.*

Authorizations (including initial grants, modifications, assignments or transfers of control, and renewals) in the Cable Television Relay Service to construct or operate fixed or mobile stations to relay television and related audio signals, signals of standard and FM broadcast stations, signals of instructional television fixed stations, and cablecasting to cable television systems, either directly or indirectly, shall contain the condition that such cable television systems shall operate in compliance with the provisions of Part 76 (Cable Television Service) of this chapter.

§ 78.29 *License period.*

Licenses for cable television relay stations will be issued for a period not to exceed five (5) years. On and after February 1, 1966, licenses for CAR stations ordinarily will be issued for a period expiring on February 1, 1971, and, when

regularly renewed, at five year intervals thereafter. When a license is granted subsequent to the last renewal date for CAR stations, the license will be issued only for the unexpired period of the current license term of such stations. The license renewal date applicable to CAR stations may be varied as necessary to permit the orderly processing of renewal applications, and individual station licenses may be granted or renewed for a shorter period of time than that generally prescribed for CAR stations, if the Commission finds that the public interest, convenience, and necessity would be served by such action.

§ 78.31 *Temporary extension of license.*

Where there is pending before the Commission any application, investigation, or proceeding which, after hearing, might lead to or make necessary the modification of, revocation of or the refusal to renew an existing cable television relay station license, the Commission will grant a temporary extension of such license; *Provided, however,* That no such temporary extension shall be construed as a finding by the Commission that the operation of any CAR station thereunder will serve the public interest, convenience, and necessity beyond the express terms of such temporary extension of license; *And provided, further,* That such temporary extension of license will in nowise affect or limit the action of the Commission with respect to any pending application or proceeding.

SUBPART C—GENERAL OPERATING REQUIREMENTS

§ 78.51 *Remote control operation.*

(a) A cable television relay station may be operated by remote control provided the following conditions are met:

(1) The transmitter and associated control system shall be installed and protected in a manner designed to prevent tampering or operation by unauthorized persons.

(2) An operator meeting the requirements of § 78.61 shall be on duty at the remote control position and in actual charge thereof at all times when the station is in operation.

(3) Facilities shall be provided at the control position which will permit the operator to turn the transmitter on and off at will. The control position shall also be equipped with suitable devices for observing the overall characteristics of the transmissions and a carrier operated device which will give a continuous visual indication whenever the transmitting antenna is radiating a signal. The transmitting apparatus shall be inspected as often as may be necessary to insure proper operation.

(4) The control circuits shall be so designed and installed that short circuits, open circuits, other line faults, or any other cause which would result in loss of control of the transmitter will automatically cause the transmitter to cease radiating.

(b) An application for authority to construct a new station or to make changes in the facilities of an existing station and which proposes operation by remote control shall include an adequate showing of the manner of compliance with the requirements of this section.

§ 78.53 *Unattended operation.*

(a) A cable television relay station (other than a CAR pickup station) may be operated unattended provided that the following requirements are met:

(1) The transmitter and associated control circuits shall be installed and protected in a manner designed to prevent tampering or operation by unauthorized persons.

(2) The transmitter shall be equipped with an automatic control which will permit it to radiate only when it is relaying an incoming signal. The automatic control may be either a time clock or a signal sensing device. Allowances may be made for momentary circuit failures and brief transition periods when no incoming signal is available for retransmission.

(3) If the transmitting apparatus is located at a site which is not readily accessible at all hours and in all seasons, means shall be provided for turning the transmitter on and off at will from a location which can be reached promptly at all hours and in all seasons.

(4) Licensed radio personnel responsible for the maintenance of the station shall be available on call at a location which will assure expeditious performance of such technical servicing and maintenance as may be necessary whenever the station is operating. In lieu thereof, arrangements may be made to have an unlicensed person or persons available at all times when the transmitter is operating, to turn the transmitter off in the event that it is operating improperly. The transmitter may not be restored to operation until the malfunction has been corrected by a technically qualified person.

(5) The station licensee shall be responsible for the proper operation of the station at all times and is expected to provide for observations, servicing, and maintenance as often as may be necessary to insure proper operation. All adjustments or tests during or coincident with the installation, servicing, or maintenance of the station which may affect its operation shall be performed by or under the immediate supervision of a licensed radio operator as provided in § 78.61.

(b) An application for authority to construct a new station or make changes in the facilities of an existing station and which proposes unattended operation shall include an adequate showing as to the manner of compliance with the requirements of this section.

§ 78.55 *Time of operation.*

(a) A cable television relay station is not expected to adhere to any prescribed schedule of operation. However, it is limited to operation only when the originating station or stations, is transmitting the programs which it relays except as provided in paragraph (b) of this section.

(b) The transmitter may be operated for short periods of time to permit necessary tests and adjustments. The radiation of an unmodulated carrier for extended periods of time or other unnecessary transmissions are forbidden.

§ 78.57 *Station inspection.*

The station and all records required to be kept by the licensee shall be made available for inspection upon request by any authorized representative of the Commission.

§ 78.59 *Posting of station and operator licenses.*

(a) The station license and any other instrument of authorization or individual order concerning the construction or the equipment or manner of operation shall be posted at the place where the transmitter is located, so that all terms thereof are visible except as otherwise provided in paragraphs (b) and (c) of this section.

(b) In cases where the transmitter is operated by remote control, the documents referred to in paragraph (a) of this section shall be posted in the manner described at the control point of the transmitter.

(c) In cases where the transmitter is operated unattended, the name of the licensee and the call sign of the unattended station shall be displayed at the transmitter site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground at the transmitter site. The display shall be prepared so as to withstand normal weathering for a reasonable period of time and shall be maintained in a legible condition at all times by the licensee. The station license and other documents referred to in paragraph (a) of this section shall be kept at the nearest attended station or, in cases where the licensee of the unattended station does not operate attended stations, at the point of destination of the signals relayed by the unattended station.

(d) The original of each station operator license shall be posted at the place where the operator is on duty; *Provided, however,* That if the original license of a station operator is posted at another radio transmitting station in accordance with the rules governing the class of station and is there available for inspection by a representative of the Commission, a verification card (FCC Form 758–F) is acceptable in lieu of the posting of such license; *And provided, further,* That if the operator on duty holds an operator permit of the card form (as distinguished from the diploma form), he shall not post that permit but shall keep it in his personal possession.

§ 78.61 *Operator requirements.*

(a) Except in cases where a cable television relay station is operated unattended in accordance with § 78.53, an operator holding a valid radiotelephone

first- or second-class operator license shall be on duty at the place where the transmitting apparatus is located, in plain view and in actual charge of its operation or at a remote control point established pursuant to the provisions of § 78.51, at all times when the station is in operation. Control and monitoring equipment at a remote control point shall be readily accessible and clearly visible to the operator at that position.

(b) In cases where the cable television relay station is operated unattended pursuant to the provisions of § 78.53, the licensed personnel referred to in paragraph (a) (4) of that section shall hold a valid radiotelephone first- or second-class operator license.

(c) Any transmitter tests, adjustments, or repairs during or coincident with the installation, servicing, operation, or maintenance of a cable television relay station which may affect the proper operation of such station shall be made by or under the immediate supervision and responsibility of a person holding a valid first- or second-class radiotelephone operator license, who shall be fully responsible for proper functioning of the station equipment.

(d) The licensed operator on duty and in charge of a cable television relay station may, at the discretion of the licensee, be employed for other duties or for the operation of another station or stations in accordance with the class of operator license which he holds and the rules governing such stations. However, such duties shall in no way impair or impede the required supervision of the cable television relay station.

§ 78.63 *Painting and lighting of antenna structures.*

The painting and lighting of antenna structures employed by the stations licensed under this part, where required, will be specified in the authorization issued by the Commission. Part 17 of this chapter sets forth the conditions under which painting and lighting will be required and the responsibility of the licensee with regard thereto.

§ 78.65 *Additional orders.*

In case the rules of this part do not cover all phases of operation with respect to external effects, the Commission may make supplemental or additional orders in each case as may be deemed necessary.

§ 78.67 *Copies of rules.*

The licensee of a cable television relay station shall have a current copy of Part 78, and, in cases where aeronautical obstruction marking of antennas is required, Part 17 of this chapter shall be available for use by the operator in charge. Both the licensee and the operator or operators responsible for the proper operation of the station are expected to be familiar with the rules governing cable television relay stations. Copies of the Commission's rules may be obtained from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402, at nominal cost.

§ 78.69 *Operating log.*

(a) The licensee of a cable television relay station shall maintain an operating log showing the following:

(1) The date and time of the beginning and end of each period of operation of each transmitter;

(2) The date and time of any unscheduled interruptions to the transmissions of the station, the duration of such interruptions, and the causes thereof;

(3) A record of repairs, adjustments, tests, maintenance, and equipment changes;

(4) Entries required by § 17.49 of this chapter concerning daily observations of tower lights and quarterly inspections of the condition of the tower lights and associated control equipment and an entry when towers are cleaned or repainted as required by § 17.50 of this chapter.

(b) Log entries shall be made in an orderly and legible manner by the person or persons competent to do so, having actual knowledge of the facts required, who shall sign the log when starting duty and again when going off duty.

(c) No log or portion thereof shall be erased, obliterated, or willfully destroyed within the period of retention required by rule. Any necessary correction

may be made only by the person who made the original entry who shall strike out the erroneous portion, initial the correction made, and show the date the correction was made.

(d) Operating logs shall be retained for a period of not less than 2 years. The Commission reserves the right to order retention of logs for a longer period of time. In cases where the licensee has notice of any claim or complaint, the log shall be retained until such claim or complaint has been fully satisfied or until the same has been barred by statute limiting the time for filing of suits upon such claims.

SUBPART D—TECHNICAL REGULATIONS

§ 78.101 *Power limitations.*

(a) Transmitter peak output power shall not be greater than necessary, and in any event, shall not exceed 5 watts on any channel; except that, stations using frequency modulation to transmit a baseband of frequency-division multiplexed standard television signals may be authorized to use peak power of 15 watts on frequency assignments in Groups E and F, 30 watts on frequency assignments in Group G, and 60 watts on assignments in Group H.

(b) LDS stations shall use for the visual signal either vestigial sideband AM transmission or frequency-division multiplexed FM transmission. When vestigial sideband AM transmission is used, the peak power of the visual signal on all channels shall be maintained within 2 decibels of equality. The mean power of the aural signals on each channel shall not exceed a level 7 decibels below the peak power of the visual signal.

§ 78.103 *Emissions and bandwidth.*

(a) A cable television relay station may be authorized to employ any type of emission suitable for the simultaneous transmission of visual and aural television signals.

(b) Any emission appearing on a frequency outside of the channel authorized for a transmitter shall be attenuated below the peak power of emission in accordance with the following schedule:

(1) For CAR stations using FM transmission (including those modulated by a frequency-division baseband of standard television signals): (i) On any frequency above the upper channel limit and below the lower channel limit by between zero and 50 percent of the assigned channel width: At least 25 decibels; (ii) On any frequency above the upper channel limit or below the lower channel limit by more than 50 percent and up to 150 percent of the assigned channel width: At least 35 decibels; (iii) On any frequency above the upper channel limit or below the lower channel limit by more than 150 percent of the assigned channel width: At least $43+10 \log_{10}$ (power in watts) decibels.

(2) For CAR stations using vestigial sideband AM transmission: At least 50 decibels.

(c) In the event that interference to other stations is caused by emissions outside the authorized channel, the Commission may require greater attenuation than that specified in paragraph (b) of this section.

§ 78.105 *Antennas.*

(a) Cable television relay stations shall use directive transmitting antennas. The maximum beamwidth in the horizontal plane between half power points of the major lobe shall not exceed 3 degrees: *Provided, however,* That, upon adequate showing of need to serve a larger sector, or more than a single sector, greater beamwidth or multiple antennas may be authorized for LDS stations. Either vertical, horizontal, or elliptical polarization may be employed. The Commission reserves the right to specify the polarization of the transmitted signal.

(b) The choice of receiving antennas is left to the discretion of the licensee. However, licensees will not be protected from interference which results from the lack of adequate antenna discrimination against unwanted signals.

§ 78.107 *Equipment and installation.*

(a) From time to time the Commission publishes a revised list of type approved and type accepted equipment entitled "Radio Equipment List." Copies of this list are available for inspection at the Commission's offices in Washington, D.C., and at each of its field offices.

(b) Each transmitter authorized for use in the Cable Television Relay Service (other than a CAR pickup station) must be of a type which has been type accepted pursuant to Part 2 (Subpart F) of this chapter, as capable of meeting the requirements of §§ 78.17, 78.101, 78.111, and 78.115.

(c) The installation of a cable television relay station shall be made by or under the immediate supervision of a qualified engineer. Any tests or adjustments requiring the radiation of signals and which could result in improper operation shall be conducted by or under the immediate supervision of an operator holding a valid first- or second-class radiotelephone operator license.

(d) Simple repairs such as the replacement of tubes, fuses, or other plug-in components which require no particular skill may be made by an unskilled person. Repairs requiring replacement of attached components or the adjustment of critical circuits or corroborative measurements shall be made only by a person with required knowledge and skill to perform such tasks.

§ 78.109 *Equipment changes.*

(a) Formal application is required for any of the following changes:

(1) Replacement of the transmitter as a whole, except replacement with an identical transmitter, or any change in equipment which could result in a change in the electrical characteristics or performance of the station;

(2) Any change in the transmitting antenna system of a station (other than a CAR pickup station), including the direction of the main radiation lobe, directive pattern, antenna gain or transmission line;

(3) Any change in the height of the antenna of a station (other than a CAR pickup station) above ground, or any horizontal change in the location of the antenna;

(4) Any change in the transmitter control system;

(5) Any change in the location of a station transmitter (other than a CAR pickup station transmitter), except a move within the same building or upon the tower or mast or a change in the area of operation of a CAR pickup station;

(6) Any change in frequency assignment;

(7) Any change of authorized operation power.

(b) Other equipment changes not specifically referred to in paragraph (a) of this section may be made at the discretion of the licensee, provided that the Engineer in Charge of the radio district in which the station is located and the Commission in Washington, D.C. are notified in writing upon the completion of such changes and provided further, that the changes are appropriately reflected in the next application for renewal of licenses of the station.

§ 78.111 *Frequency tolerance.*

(a) The frequency of the unmodulated carrier as radiated by a cable television relay station using FM transmission (including those modulated by a frequency-division baseband of standard television signals) shall be maintained within 0.02 percent of the center of the assigned channel.

(b) The frequency of the visual carrier of a CAR station using vestigial sideband AM transmission shall be maintained within 0.0005 percent of the assigned frequency, and the center frequency of the accompanying aural signal shall be maintained 4.5 MHz $\pm$ 1 kHz above the visual frequency.

§ 78.113 *Frequency monitors and measurements.*

(a) Suitable means shall be provided to insure that the operating frequency is within the prescribed tolerance at all times. The operating frequency shall be checked as often as is necessary to insure compliance with § 78.111 and in any case at intervals of no more than one month.

(b) The choice of apparatus to measure the operating frequency is left to the discretion of the licensee. However, failure of the apparatus to detect departures of the operating frequency in excess of the prescribed tolerance will not be deemed an acceptable excuse for the violation.

§ 78.115 *Modulation limits.*

(a) If amplitude modulation is employed, negative modulation peaks shall not exceed 100 percent modulation.

(b) If frequency modulation is employed, carrier excursions shall be limited to the extent necessary to comply with the requirements of § 78.103 and shall in no event extend beyond the channel limits.

G. Part 91—Industrial Radio Services.

§ 91.557 [Amended.]

1. In § 91.557, the text of paragraph (a) is deleted and the word "Reserved" is substituted therefor.

2. In § 91.559, the headnote and text are revised to read as follows:

§ 91.559 *Authorizations for operational fixed stations to relay television signals to cable television systems.*

Authorizations (including initial grants, modifications, assignments or transfers of control, and renewals) in the Business Radio Service to construct or operate point-to-point operational fixed stations to relay television signals to cable television systems shall contain the condition that such cable television systems shall operate in compliance with the provisions of Part 76 (Cable Television Service) of this chapter.

3. Section 91.561 is amended to read as follows:

§ 91.561 *Notification by applicant.*

An application for any authorization subject to § 91.559 shall contain a statement that the applicant has notified the licensee or permittee of any television broadcast station within whose predicted Grade B contour the cable television system served or to be served operates or will operate, the licensee or permittee of any 100-watt or higher power television translator station licensed to the community of the system, the franchising authority, the superintendent of schools in the community of the system, and any local or state educational television authorities, of the filing of the application. Such statement of the applicant shall be supported by copies of the letters of notification. The notice shall include the fact of intended filing by the applicant, the name and mailing address of each cable television system served or to be served under the authorization sought, the community and area served or to be served by each cable television system, and the television signals to be carried by each cable television system.

NOTE.—As used in § 91.561, the term "predicted Grade B contour" means the field intensity contour defined in § 73.683(a) of this chapter, the location of which is determined exclusively by means of the calculations prescribed in § 73.684 of this chapter.

APPENDIX B

SIGNIFICANTLY VIEWED TELEVISION STATIONS

For *Corrected Table* see Appendix B to Memorandum Opinion and Order on Reconsideration of the Cable Television Report and Order, FCC 72-530.

F.C.C. 71-787

APPENDIX C

August 5, 1971.

LETTER OF INTENT

DEAR MR. CHAIRMAN: In accordance with our commitment in my testimony before the Senate Communications Subcommittee on June 15, 1971—reiterated before the House Communications and Power Subcommittee on July 22, 1971—we are submitting this summary of the Commission's proposals for the near-term regulation of cable television.

The Commission has been intensively engaged in the process of reviewing its cable policies since the summer of 1968, when the Supreme Court affirmed the Commission's authority to regulate the industry. In recent months, very nearly full time has been spent trying to find a satisfactory resolution of the difficult problems involved. Ample opportunity has been afforded all interested persons to present their views on the subject. The policies put forward here result from an intensive study of the issues, balancing all the equities, and represent our best judgment on the regulatory course that should be followed.

As set forth in our previous Statements to the Congress, our objective throughout has been to find a way of opening up cable's potential to serve the public without at the same time undermining the foundation of the existing over-the-air broadcast structure. We believe both these "goods" can be achieved and that cable can make a significant contribution toward improving the nation's communications system—providing additional diversity of programming, serving as a communications outlet for many who previously have had little or no chance of ownership or of access to the television broadcast system, and creating the potential for a host of new communications services. We believe the policies set out here will achieve these results. But we intend to monitor very closely the growth of the cable television industry and remain prepared to take such further action as may be called for on the basis of experience. We are proposing to break new ground, largely unexplored. As a consequence, we must and will proceed with caution. But further delay, in our view, would disserve the public and deny the nation tangible benefits.

It has been argued that the Commission should delay the next phase of cable's evolution until new copyright legislation is passed. We fully recognize that the continued economic health of those who create program material is crucial to both broadcasting and cable, but we have come to the conclusion that copyright policy is most appropriately left to the Congress and the courts. We therefore strongly urge and hope that the Congress will enact a copyright law—indeed, prompt action seems to us essential. In this connection, we note the present efforts of the principals to reach an agreement and hope that these efforts will be fruitful.

In short, we believe that the two matters—cable regulation and copyright—can be separately considered; that the Commission, with appropriate review by the Congress, can resolve the regulatory matter; and that this will provide necessary background for Congressional resolution of the copyright issue. It seems to us that our approach promotes and facilitates an informed resolution of cable copyright. The Copyright Office and the Department of Justice have also recommended that this approach be followed. We intend, however, to keep a close watch on how the new regulatory program detailed here works out, and to revisit the copyright question within two years if the problem has not in the meantime been resolved.

In this connection, we note that the matter of program exclusivity, as it is affected by cable carriage, is a matter that has both copyright and regulatory implications. Thus, we intend to study whether present or future considerations call for altering our existing CATV program exclusivity rule (Section 74.1103), which in effect protects only the network programming of network affiliates. We have also in progress a rule making proceeding (*Further Notice of Proposed Rule Making in Docket 18179*, 27 FCC 2d 13 (1971)) concerning the exclusivity practices of broadcast stations in terms of both time and geography and the impact of these practices on the ability of UHF broadcasters and cable operators to obtain programming.

The specific policies on which agreement has been reached, described in detail below, are the result of a number of interlocking proceedings. The policies are designed to be part of a single package because each has an impact on all the others, but they may generally be divided into four main areas:

I. television broadcast signal carriage;
II. access to, and use of nonbroadcast cable channels, including minimum channel capacity;
III. technical standards;
IV. appropriate division of regulatory jurisdiction between the federal and state-local levels of government.

We are continuing our work on the final documents. Our time table is such that we will not release these documents until the latter part of the year. Thus, there will be an ample opportunity during the present session of the 92nd Congress for your Subcommittee as well as other committees and the Congress to consider our proposals. During this time we also expect to have available the results of other studies of cable television currently in progress, and will, of course, take them into account. As we now project the time table, therefore, rules will be promulgated by the end of the year, with an effective date of March 1, 1972.

Before turning to a discussion of the policies, we should stress that while these policies will generally govern our disposition of cable matters as they come before us, there are always exceptional situations that call for exceptional actions.

The very purpose of an administrative agency is to insure flexibility to act in the public interest in particular situations. In this area of operation under new policies, we will be alert to such special situations as they arise and will tailor our actions accordingly.

I: TELEVISION BROADCAST SIGNAL CARRIAGE

Our basic objective is to get cable moving so that the public may receive its benefits and to do so without, at the same time, jeopardizing the basic structure of over-the-air television. The fundamental question is the number of signals that cable should be permitted to carry to meet that objective. In attempting to resolve this question, we have agreed on a formula that we are persuaded will achieve the following purposes:

(1) Assure that cable viewers will receive all television signals significantly viewed in their community.

(2) Assure that cable viewers will receive at least a minimum level of television service.

(3) Permit cable carriage of a limited number of distant signals in those markets where we believe this can be done without undue impact on local television stations.

This approach would replace the retransmission consent (*Notice of Proposed Rule Making and Notice of Inquiry in Docket 18397*, 15 FCC 2d 417 (1968)) and commercial substitution (*Second Further Notice of Proposed Rule Making in Docket 18379–A*, 24 FCC 2d 580 (1970)) proposals that, we have concluded, simply will not wash. We propose to act in a conservative, pragmatic fashion—in the sense of protecting the present system and adding to it in a significant way, taking a sound and realistic first step, and then evaluating our experience.

We have determined to restrict the carriage of distant signals to a relatively small number and hope thus to serve two purposes: first, to minimize the possibility of adverse impact on the existing broadcast structure and, second, to spur the development of the variety of nonbroadcast services that represent the long-term promise of cable. We believe that the overall approach described will allow the integration of cable service into the nation's communications structure without undue disruption.

The television signal carriage rules would divide all signals into three classifications:

(1) *Mandatory carriage*—signals that a cable system must carry.

(2) *Minimum service*—a minimum number of signals that, taking television market size into account, a cable system may carry.

(3) *Additional service*—signals that some systems may carry in addition to those required or permitted in the two above categories.

Before proceeding to a discussion of these classifications, it is necessary to establish the frame of reference in which the rules would operate.

First, the signal carriage rules would be tailored in their application to markets of varying size in accordance with the estimated ability of these markets to withstand additional distant signal competition. The rules would vary according to whether the cable system is in the top 50 television markets, in markets 51–100, in a market below 100, or not in a television market at all. Appendix A contains an alphabetical list of markets 1–50 and 51–100, and this list would become a permanent part of the rules. The list is derived largely from the American Research Bureau's 1970 prime time households ranking. Earlier, television markets were ranked according to the net weekly circulation of the largest station in each market, but we have now concluded that the prime time households ranking would serve as a more appropriate base. It more nearly measures the strength of each market, rather than just the circulation of the largest station in the market.

Second, it is necessary to delineate the area within each market to which the particular rules will be applicable. We have decided to define that area as a zone of 35 miles radius surrounding a specified reference point in each designated community in the market. A set of reference points fixing the center of the community to which each station is licensed would be included in the rules. For new television stations where reference points have not been specified, the 35 mile zone would be drawn from the central post office in the television station com-

munity. The purpose of drawing these zones is not to encompass the entire geographical area that stations in the market serve but rather to carve out the market's central city, suburbs, and nearby communities on which stations generally rely for their principal audience support.

Cable systems in the communities partially within a 35 mile zone would be treated as if they were entirely within the zone. There is, however, one exception to this rule: namely, a top 100 market designated community (Appendix A) would be treated as within the zone of another market only if its reference point were within the 35 mile zone of the latter market. In those instances where there is an overlapping of zones to which different carriage rules are applicable, the rules governing the larger market would be followed. Authorized stations with construction permits, but which have not yet commenced broadcasting, would be treated as having a zone, and as operational for purposes of the minimum service rules, for a period of 18 months following the grant of permit.

Mandatory Carriage Signals

Existing rules contain a requirement that, on request, a cable system must carry all Grade B signals covering its community. This requirement has been a part of the Commission's CATV rules from the first, but its practical operation has been complicated as a result of footnote 69 to the *Second Report and Order in Dockets 14895 et al.*, 2 FCC 2d 725, 786 (1966), in which questions were raised as to whether a Grade B signal coming from one major market into another major market should be treated as a distant rather than a local signal. Two changes are to be made in this existing (Grade B) carriage rule.

The first is a requirement that all cable systems must carry the signals of all stations licensed to communities within 35 miles of the cable system's community. This requirement, based on policy considerations similar to those underlying existing carriage rules, is intended to aid stations—generally UHF—whose Grade B contours are limited. (In markets smaller than the top 100, systems would be required to carry all stations within 35 miles and, on request, all Grade B signals from other small markets.)

The second change concerns the overlapping market or footnote 69 situation and takes into account the circumstance that some Grade B signals, while theoretically available over-the-air, are not actually viewed to any significant extent in some parts of their service area. Our earlier proposal in Docket 18397 would have regulated this situation by the use of fixed mileage zones. Under that proposal, a cable system in the top 100 markets (i.e., within the 35 mile zone of a designated top 100 community) could carry the Grade B signal of a station from another top 100 market only if the system were located wholly within 35 miles of the latter market. We have decided to retain this concept but with an important qualification to reflect actual viewing patterns—which is, after all, the heart of the matter. Thus, the rule would require carriage of a signal from one market into another if that signal were found to have significant over-the-air viewing in the cable system's community. Further, its application—which has been limited to overlaps between major markets—would be extended to overlaps between major and smaller markets.

The standard as to what constitutes "significant viewing" can reasonably be drawn at several points. After studying the various alternatives, we have concluded that an out-of-market network affiliate should be considered to be significantly viewed if it obtains at least a 3% share of the viewing hours in the television homes in the community *and* has a net weekly circulation in the community of 25% or more.[1] For independent stations, the test of significant viewing would be a 1% share of viewing hours *and* a net weekly circulation of at least 5%. The lower figures for independent stations are intended to reflect the smaller audiences that these stations generally attract even in their home markets and, because so many of them are UHF, to afford them a practical boost by virtue of cable carriage. You will note that, in constrast with the standard set forth in our House testimony, the test is now formulated so that both its components (audience share *and* net weekly circulation) must be met. This

[1] *Share of viewing hours:* the total hours all television households viewed the subject station during the week, as a percentage of the total hours these households viewed all stations during the period. *Net weekly circulation:* the number of television households that viewed the station for 5 minutes or more during the entire week.

more rigorous test gives greater assurance that a signal thus carried is in fact "significantly viewed."

We will include in the rules a list of counties in all market zones, showing which out-of-market signals are significantly viewed. This list will be based on ARB's 1971 Television Circulation/Share Study which will be available shortly. For those counties that already have 10 percent or more cable penetration, a special ARB tabulation will be used. Because these new tabulations are not yet available, we have had to use most recent available county data in preparing attached Appendix B. This chart illustrates the approximate number of signals that may be carried in designated cities in the top 100 television markets.

Those wishing to make supplemental showings as to significant viewing of additional stations in specific cable communities would also be permitted to do so. Any survey data submitted, however, must be obtained from an independent research organization and include a sufficient sample of off-the-air television households to assure that the results lie at least two standard errors (95 percent confidence limits) above the required viewing level.

Minimum Service

Consistent with other public interest considerations, cable viewers should have at least a minimum number and choice of signals. It would, of course, be desirable to adopt one nationwide standard. However, again to act conservatively with respect to the possible impact on local broadcasting, we have decided to establish minimum standards of adequate television service that would vary with market size. (Noncommercial educational and non-English language stations are not included in these minimum standards but are discussed separately below.) The minimum service standards would be as follows:

(1) *In television markets 1–50:* three full network stations, three independent stations

(2) *In markets 51–100:* three full network stations, two independent stations

(3) *In smaller television markets (below 100):* three full network stations, one independent station.

If after carriage of stations within thirty-five miles, those from the same market, and those meeting the viewing test, minimum service is still not being supplied, distant signals would be permitted to be carried as needed to make up the defined minimum of service.

Additional Service

Cable systems in the top 100 markets would in any case be permitted to carry two signals beyond those whose carriage would be required under the mandatory carriage rules. Distant and out-of-market signals carried to provide minimum service would be counted against these additional signals so that if, for example, two distant signals were carried to provide minimum service, no additional signals could be carried. Cable systems in smaller markets (below 100) would not be permitted to import network or independent television signals beyond the minimum service level. Noncommercial educational and non-English language stations could also be carried in accordance with the policies outlined below.

The rationale for the foregoing may be simply stated. It would appear that the minimum number of distant signals that might reasonably open the way for cable development is two additional signals not available in the community. We will therefore permit this amount in the larger markets where it is necessary and feasible in terms of impact on broadcasting. In this connection, we stress again our recognition of the need for *ad hoc* actions in some situations. Thus, if a system has available for carriage a great number of signals meeting the "significant viewing" test, this may be sufficient to facilitate its growth and may make unnecessary the provision of two additional distant signals. This question can only be resolved on the basis of the facts of each case (e.g., the number of "significantly viewed" signals; the extent, if any, to which those signals exceed the minimum test; and the nature of the market, including the financial position of the stations in the market). Similarly, in the second 50 markets there could be anomalous situations that call for separate treatment—perhaps permitting only one imported signal, or even none. On the attached chart (Appendix B) we have designated markets that might receive such special treatment.

But generally, we will act in the above described fashion. We have therefore, in the same chart, indicated the effect of our policies in the designated cities of the top 100 markets. We cannot claim that it is mathematically certain in every detail—e.g., some "significantly viewed" signals might be added on an appropriate showing or, in some areas, as a result of the forthcoming ARB cable-controlled sweep, some signals that we have included might not meet the requisite standards. A foreign language or educational signal (or signals) might also be carried, although we believe such carriage would at most have minimal impact on local commercial broadcasters. But even with these qualifications, we believe the chart illustrates the scope and effect of our policies and thus gives a picture of the overall plan in practice.

Carriage Rules for Cable Communities Outside Any Television Market

Cable systems in communities entirely outside the zone of any commercial television station would be permitted to carry television signals without restriction as to number or point of origin, but must carry all Grade B signals.

Impact

We have carefully considered the question of cable's impact on the continued viability of over-the-air broadcasting. Broadcasters argue that any distant signal cable policy will have a disastrous impact on already shaky UHF stations. On the other hand, we have independent studies such as those submitted by the Rand Corporation suggesting that UHF will be likelier helped than hurt by cable—because UHF is still handicapped by reception problems, and these problems disappear with carriage on cable. Our own study of the matter has persuaded us that it would be wrong to halt cable development on the basis of conjectures as to its impact on UHF stations. We believe the improvements that cable will make in clearer UHF pictures and wider UHF coverage will at least offset the inroads on UHF audiences made by the limited number of distant signals that our rules would permit to be carried.

As to similar arguments concerning cable's impact on VHF in the smaller markets, it is our judgment—considering such factors as cable's rate of penetration and the growth of broadcast revenues—that the approach we propose will not undermine these stations in their ability to serve the public. Of course, as in any general policy, there may well be exceptional cases—as to a particular market or, more likely, a particular station in that market. In such an event, we would be prepared to take appropriate action.

The viewing patterns in off-the-air and cable homes would soon become apparent and serve as an index of cable's impact on local broadcast service. We intend to obtain early and continuing reports from representative communities, and broadcasters would be free to submit such reports at any time. If these reports and the financial data from operating stations were to show the need for remedial action, we could and would take prompt action. The range of possibilities here is broad. Effective non-network nonduplication protection might be afforded to affected stations. Or, we might consider halting cable's growth with distant signals at discrete areas within the community—something we have done on occasion in the past. The Commission has the flexibility to handle injury problems in a variety of ways, should such problems in fact arise.

Leapfrogging

We have concluded that it is appropriate to adopt leapfrogging rules regulating which signals may be carried. These rules, while providing cable systems with some flexibility of choice, are also designed to give an expanded market to stations that might otherwise be passed over. In particular, priority would be given to carriage of UHF independent stations in order to improve their competitive position. This policy would be implemented by a rule requiring cable systems in the top 100 markets carrying distant independent television signals to carry, as a first priority, one UHF independent station from within 200 miles. If there is no such UHF station, any VHF station within 200 miles or any UHF station could be carried. The second distant signal in these top 100 markets would be free from restrictions as to point of origin. With respect to systems below the top 100 markets, or the unusual case of a top 100 market system restricted to carriage of only one independent distant signal, such carriage would also be free from restrictions as to point of origin. Finally, in those few markets where

a third independent may be brought in, that signal must be in-state or one within 200 miles; if no such signals are available, there would be no restriction as to point of origin.

The cable system may vary the distant signals to be presented in any fashion it wants, so long as it does not exceed the number to be imported and meets the leapfrogging requirements. In the event an *independent* signal is blacked out at times because of some nonduplication requirement imposed by the Commission, the system might substitute other distant signal programming in line with the same pattern of priorities. The system might even bring in network-affiliated stations as a part of its "additional two signals"—again, consistent with these priorities and, of course, our nonduplication rules.

Any system within a market zone adding an additional network or noncommercial educational station would be required to carry the closest station of that type or, if the closest station were not from the same state, then the closest instate signal.

Educational Stations

The unregulated importation of distant educational signals might both threaten existing local educational stations and also abort construction of new educational stations. We have, therefore, always provided educational stations and other educational television interests an opportunity to object to importation of distant educational television stations. In our cable deliberations, the filings concerning carriage of distant educational television stations generally argued in favor of simplified procedures—to lighten the burden on educational broadcasters and to protect their interests in providing local educational programming whenever possible.

We have settled on the following rules: a cable system must carry educational stations within 35 miles and, on request, those that provide a predicted Grade B contour over the cable system's community. The Commission will attempt to settle disputes involving educational stations on the basis of a showing from the objecting party and the response of the cable system involved. While all objections to educational station carriage will be considered, we would not anticipate precluding carriage of tax-supported stations from the same state as the cable system. In order to insure that educational interests have adequate notice of proposed importation, we would retain our requirement that the cable system serve notice of its intention to carry any educational station upon the local school superintendent, all educational stations placing a predicted Grade B contour over the cable system's community, and any local or state educational television authority. Finally, we recognize that educational stations are unlikely to develop in some areas and that cable carriage of distant educational signals is unlikely to have any appreciable impact on commercial broadcast stations. Consequently, we will allow a cable system to carry any number of educational signals, local or distant, in the absence of objection.

Foreign Language Stations

Many communities have an interest in non-English language programming. For the most part, the communities involved are situated near the Canadian or Mexican borders and have populations with a high interest in French or Spanish language programming. This phenomenon is also apparent in other cities with foreign language populations—e.g., New York City, Miami, Los Angeles. In addition, there are citizens and non-citizen residents and visitors to this country not conversant in English who remain essentially without adequate television service. To serve these minorities more effectively, we would permit cable systems to import non-English language programming. In order to encourage the carriage of such programming, we would not count against the quotas discussed previously the distant signal of a non-English language station when carrying these programs.

The non-English language stations are similar to educational stations in that they generally attract select, small audiences, yet serve a salient need. We do not anticipate that this undertaking will be detrimental to local television service because of the small number of viewers such stations generally attract. Again, there could be exceptions to this general proposition. We would, of course, act on any showing of adverse consequences to local television service caused by non-English language signal importation.

We believe that the choice of the station or stations to be carried should be left to the cable operator. He would be free to choose non-English language stations from those available in the United States or might choose foreign stations not programmed in English. If a non-English language station is available locally, the cable operator would be allowed to import a foreign language station programming in another language without counting against the distant signal quota.

Sports

Sports events stand on a separate footing from other programming presented on commercial television. Public Law 87–331, among other things, exempts professional sports from the anti-trust laws for the purpose of allowing professional football, baseball, basketball, and hockey to enter into pooled or league television agreements with networks, and to black out television broadcasts of home games within the "home territory" of the team concerned. Certainly, cable systems should not be permitted to circumvent the purpose of the law by importing the signal of a station carrying the home game of a professional team if that team has elected to black out the game in its home territory. For example, if the Washington Redskins were playing the New York Giants in Washington, D.C., and the game were blacked out there, a cable system in Washington, D.C. would not be permitted to bring in a New York City station televising the game.

We will follow the spirit and letter of Public Law 87–331, since it represents Congressional policy in this important area. We intend to issue very shortly a notice of proposed rule making directed to this specific area, in order to ascertain the full thrust and purposes of 87–331 and how best we can formulate a rule to implement these purposes. We will give this proceeding expedited treatment, so that it is concluded before the significant emergence of new systems under these rules. In any event, a system may carry any sporting event if it is televised on a station that must be carried under the mandatory carriage rules. In effect, then, cable systems will be able to carry whatever sports events are carried locally—including those on stations meeting the "significant viewing" test.

Another aspect of concern involving sports programming is the possibility that such programming now presented on broadcast television might be siphoned off to cable. Our current rules (Section 74.1121) prevent cable systems from showing sports events for a separate per program or per channel charge unless these events have not been televised live on a regular basis on broadcast television at no direct charge to viewers during the two years preceding the proposed subscription showing. The Commission has also initiated proposed rule making looking to a ban on the showing of sports events on cable systems on a subscription basis if the events were televised in the community of the system during any one year in the five years preceding the proposed subscription showing.

These rules, of course, do not take into account the circumstance that cable system, on an interconnected basis, might outbid broadcast networks for the rights to sports events to be shown on a non-subscription basis on cable systems. In such a case, off-the-air viewers would not be able to receive the event. This situation would be different from that of a cable system providing its subscribers with sports programming that is not currently being broadcast: for example, some cable systems currently carry the blacked out home games of sports teams to their subscribers pursuant to a contract with the team involved. Sports teams apparently enter such agreements when they are playing to capacity crowds and the number of cable subscribers would not hurt the home gate but would provide additional revenue through the sale of cable carriage rights. In the latter instance, cable is performing a valuable public service to its subscribers in presenting sports programming that was previously unavailable to *any* television viewer.

We are not unmindful of the possibility that a nationwide interconnected cable network, whether achieved by terrestrial or satellite technology, could remove sports programming from conventional broadcast television by offering sports teams more favorable terms than broadcast interests might be willing to pay. This would carry the risk of adverse public consequences by depriving off-the-air viewers of accustomed sports programming. But, in our judgment, this problem—if it arises at all—is far from imminent. The type of interconnection and, most important, the cable penetration levels necessary to permit the formation of a network capable of outbidding broadcast networks are far in the future. We intend to keep a close watch on this question and to take whatever action is called for within our jurisdiction. We would, of course, welcome Congressional

guidance in this area of national concern. It may be that the scope of the issue is so complex—involving not only communications policy, but also antitrust and other considerations—that legislation may be the ultimate answer if, in fact, sports siphoning were found to be an imminent danger, contrary to the public interest.

Procedural Matters

Our experience with the notification requirements of our existing rules has uncovered certain practical difficulties. First, it has not been feasible regularly to review notifications for adequacy and consistency with our signal carriage and other rules. Second, the existing requirement of notification has not effectively given public notice of pending proposals. Finally, the notices have not provided us with sufficient information on a number of matters relevant to the settlement of disputes. Consequently, we would revise our rules to cure these deficiencies as to all cable systems proposing either to start up new operations or to add local or distant stations after the effective date of our new proposals.

Before instituting service, a cable system would be required to file with the Commission a request for certification of compliance. The application would have to contain (1) a copy of the franchise, license, permit, or certificate granted by the appropriate governmental source to construct and to operate a cable system in the community; (2) a list of the broadcast stations intended to be carried (including any survey made of signals meeting the significant viewing test); (3) an affidavit showing service on all television broadcast stations placing a predicted Grade B contour over the community of the system, on the superintendent of schools in the community in which the system will operate, and any local or state educational television authorities; and (4) a completed copy of FCC Form 325 (Annual Report of CATV Systems). Form 325 would contain information concerning the cable system's operation—location, ownership, number of subscribers, signals carried, channel capacity, and extent of program originations. When a cable system proposed to add local or distant signals to an existing system, the franchise and Form 325 would not have to be refiled but the other procedures related above would be required. The Commission would issue public notices of all petitions for authorization accepted for filing.

Interested persons would be permitted to object to proposed cable service within 30 days after the Commission gives public notice. Whether or not an objection is filed a cable system would not be permitted to commence new service without receipt of a certificate of compliance from the Commission. Absent special situations or showings, petitions consistent with our rules would receive prompt certification. The rules are meant to operate on a "go, no-go" basis. For example, the carriage rules reflect our determination of what is, at this time, in the public interest *vis-a-vis* cable carriage of local and distant signals.

Grandfathering

Cable systems already in operation on the effective date of the rules would be permitted to continue operation and to provide the existing lineup of signals without regard to the new requirements of signal carriage if that service had been previously grandfathered in the *Second Report and Order in Dockets 14895 et al., supra*, or if the service were commenced in compliance with the rules after December 20, 1968 and was then consistent with the rules proposed in Docket 18397. For those systems now limited to discrete areas in their communities by Commission order, any expansion beyond those areas would have to be consistent with the new rules.

II. NON-BROADCAST CHANNELS (ACCESS)

In our July 1, 1970 *Notice of Proposed Rule Making in Docket 18397–A*, we stated: "The structure and operation of our system of radio and television broadcasting affects, among other things, the sense of 'community' of those within the signal area of the station involved. Recently governmental programs have been directed toward increasing citizen involvement in community affairs. Cable television has the potential to be a vehicle for much needed community expression."

Confronted with the need for more channels available for community expression on the one hand and, on the other, with the promised emergence of cable

television's capacity to provide an abundance of such channels, we stated in our July 1, 1970 *Notice* the principle that the Commission ". . . must make an effort to ensure the development of sufficient channel availability on all new CATV systems to serve specific recognized functions." We will seek to serve these purposes through a number of interrelated requirements spelled out in the following discussion.

We will tailor our actions to take into account the public interest considerations stemming from possible impact of cable on broadcast services. We recognize that in any matter involving future projections, there are necessarily some risks. As we have also stated, what makes those risks so clearly worth taking is the chance of obtaining great benefits to the public from cable's new services. It follows that along with making distant or overlapping signals available for the first time in specified markets, we should act to require a bandwidth that will ensure the availability of these new services. Otherwise, some cable operators might construct systems adequate only to the carriage of broadcast signals, or might long postpone the availability of non-broadcast channels. We believe this would be a most unwise decision, since the use of non-broadcast bandwidth is of high public promise and can be profitable to the cable owner. Indeed, it may be the critical factor making for cable's success. The public interest, as well as the cable industry's economic interest, may well be found in reducing subscriber fees and relying proportionately more for revenue on the income from channel leasing. *In sum, we emphasize that the cable operator cannot accept the distant or overlapping signals that will be made available without also accepting the obligation to provide for substantial non-broadcast bandwidth. The two are integrally linked in the public interest judgment we have made.*

Channel Capacity (Bandwidth)

We envision a future for cable in which the principal services, channel uses, and potential sources of income will be other than over-the-air signals. We note that 40, 50, and 60 channel systems are currently being installed. The cost difference between installing 12 and 20 channel capacity would not appear to be substantial. We urge cable operators to consider that future demand may significantly exceed current projections, and we put them on notice that it is our intention to insist on the expansion of cable systems to accommodate all reasonable demand.

At the same time, we do not want to impose unreasonable economic burdens on cable operators. Accordingly, we will not immediately require a minimum channel capacity in any except the top 100 markets. In those markets we believe a 20 channel capacity (actual or potential) is the minimum consistent with the public interest.

We will also adopt a rule that for each broadcast signal carried, cable systems must provide equivalent bandwidth for non-broadcast uses. This seems a reasonable way to obtain the necessary minimum channel capacity and yet gear it to particular community needs. Finally, the "N+1" availability concept, discussed below, is also pertinent to the question of channel capacity.

Public Access, Educational, and Government Channels

Broadcast signals are being used as a crucial component in the establishment of cable systems, and it therefore seems appropriate that certain basic goals of the Communications Act be furthered by cable's advent—the opening up of new outlets for local expression, the promotion of added diversity in television programming, the advancement of educational and instructional television, and the increased information services of local governments. Accordingly, we will require that there be one free, dedicated, non-commercial, public access channel available at all times on a non-discriminatory basis. In addition, we will require that one channel be set aside for educational use and one channel for state and local government use on a developmental basis and that, upon completion of the basic trunk line, for the first five years thereafter these two channels will be made available free. After this developmental phase—designed to encourage sophisticated educational and governmental innovation in the use of local television—we will then be in a more informed position to determine, in consultation with state and local authorities, whether to expand or curtail the free use of channels for

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such purposes or, indeed, whether we should continue the developmental period for a further time. We do not want the free uses described above to constitute an unreasonable economic burden on cable system operators and subscribers. Therefore, a system operator will be obliged to provide only use of the cable channel on a free basis; production costs (aside from brief live studio presentations not exceeding five minutes in duration) may be charged to users.

Leased Channels

After cable systems have satisfied the priority of providing one free public access channel as well as the free developmental channels for education and government, they may make available for leased uses the remainder of the required bandwidth and any other available bandwidth (e.g., if a channel carrying broadcast programming is blacked out because of our non-duplication requirement or is otherwise not in use, that channel also may be used for leased programming). Indeed, to the extent that the public access, educational, and governmental channels are not being used, these channels may also be used for leased operation. But such operations may only be undertaken with the express understanding that they are subject to immediate displacement if there is a demand to use the channel for the dedicated purpose.

Expansion of Capacity

Our basic goal is to encourage experimentation that will lead to constantly expanding channel capacity. Cable systems will therefore be required to make an additional channel available for use as the demand arises.

There are many ways of administering this general goal. Experience will be valuable to users, systems, and the Commission alike. Initially, however, we propose to use the following factor to determine when a new channel must become operational: Whenever all operational channels are in consistent use during 80% of the weekdays (Monday-Friday), for 80% of the time during any three-hour period for six weeks running. The system will then have six months in which to make a new channel available. Such an N+1 availability should encourage use of the channels, with the knowledge that channel space will always be available, and also encourage the cable operator continually to expand and update his system. We contemplate that at least one of the leased channels will give priority to part-time users; the remaining leased channel capacity may be used by full-time lessees.

As mentioned above, we are aware of the risks inherent in the N+1 formula. A cable owner has an obvious economic incentive to devote his bandwidth to profitable channel leasing activities, and might thus be motivated to restrict use of the access channels to avoid triggering the N+1 availability. A whole variety of techniques might, quite obviously, be employed. While it would not appear to constitute any problem in the immediate future, we intend to institute now a proceeding to assure that the N+1 concept is not frustrated at some later date through rate manipulation; this proceeding will deal with appropriate future regulatory policies as to the rates charged for these leased channel operations for interstate services. We are also aware that the formula may be too rigorous and impose economic burdens on operators.

The six-month period allowed for activation of new channels, for example, contemplates the relatively modest effort needed to convert existing potential capacity into actual capacity. Obviously, if it were necessary to rebuild or add extensive new plant, this could not reasonably be expected within any six-month period. The latter consideration again points up the necessity of building now with a potential that takes the future into account. In the new proceeding referred to above, we will also explore this aspect of possible rebuilding or extensive new construction that might be required under our rules. In sum, we adopt the 80% figure only as a general formula. Inasmuch as this area of regulation is new, we will reexamine the N+1 concept at an early time if unanticipated problems develop.

Two-Way Capacity

After studying the comments received and our own engineering estimates, we have decided to require that there be built into cable systems the capacity for two-way communication. This is apparently now feasible at a not inordinate additional cost, and its availability is essential for many of cable's public services.

Such two-way communication, even if rudimentary in nature, can be useful in a host of ways—for surveys, marketing services, burglar alarm devices, educational feed-back, to name a few. Of course, viewers should also have a capability enabling them to choose whether or not the feed-back is activated.

Regulations Applicable to Public Access, Educational, Government, and Leased Channels Presenting Non-Broadcast Programming

Having provided for these access channels, we turn to the question of the regulation of the public access and other channels presenting non-broadcast programming. First, we believe that such regulation is properly the concern of this Commission. This is so not just because we have required the creation of such channels and specified their initial or continuing priority. As stated, the channels are designed to fulfill Communications Act purposes and are integrally bound up with the broadcast signals being carried over the system. It is by no means clear that the viewing public will be able to distinguish between a broadcast program and an access program; rather, the subscriber will simply flick across the dial from broadcast channels to public access or leased channel programming, much as he now selects television fare. Further, the leased channels will undoubtedy involve interconnected programming, via satellite or interstate terrestrial facilities, matters that are within the Commission's jurisdiction. Similarly, it is this Commission that must make the decisions as to conditions to be imposed on the operation of pay channels, and we have already taken steps in that direction. (See Section 74.1121.)

Federal regulation is thus clearly called for. The issue is whether also to permit local regulation of these channels, if not inconsistent with Federal purposes. We think that in this area this dual form of regulation would be confusing and impracticable.

Further, we do not believe that the purposes we seek to advance would be served by detailed regulations at this time; rather as set forth more fully below, we think it is important to allow a period of considerable experimentation. Thus, we believe that, except for the government channel, local regulation of access channels carrying programming is precluded, at least at this time. We stress that if experience and considerations brought forth in the further proceeding indicate the need or desirability therefor, we can then delineate an appropriate local role.

Similarly, aside from channels for government uses, we do not believe that local entities should be permitted to require that other channels be assigned for particular uses. As stated above, this in our view is peculiarly a matter of federal concern. We stress again that we are entering into an experimental or developmental period. Thus, where the cable operator and the franchising authority seek to experiment by providing additional channel capacity for such purposes as public access, educational, and governmental—on a free basis or at reduced charges—we will entertain petitions and consider the appropriateness of authorizing such experiments, to gain further data and insight and to guide future courses of action. For the same reasons, we will permit existing systems to continue operating under more "generous" specifications than those described in this section.

The question of what regulations we should impose at this time is a most difficult one. We simply do not know how these services will evolve. The comments received, while helpful and well-intentioned, understandably could not now supply definitive standards. We believe that our best course is to facilitate use of these channels on a first-come, first-served nondiscriminatory basis with only the most minimal regulations, in order to obtain experience, and on the basis of that experience and the comments received in a new proceeding, to lay down more specific regulations. We stress, therefore, that the regulatory pattern here described is interim in nature—that we may make minor or indeed major changes as we gain the necessary insight.

Turning to our interim rules, we are guided by two main policy considerations: (1) to allow maximum experimentation and (2) to prevent, particularly during this critical early period and probably at all times, one entity sitting astride all this channel capacity and deciding what programming should or should not enter subscriber homes.

We will authorize the commencement of cable service and, with that commencement, require the offering of these services. We will further require that, in accordance with our regulations, the cable system promulgate rules to apply

to these services, and will require that the rules be kept on public file at the system's headquarters and with the Commission. What matters during this experimental period is not form but substance, and we will lay down the substantive guides that we believe are appropriate at this time. We believe that we have full discretion to act in this fashion. See *Philadelphia Television Broadcasting Co. v. F.C.C.*, 123 U.S. App. D.C. 298, 359 F. 2d 282 (1966).

With respect to the public access channel, the rules to be promulgated by the system must specify nondiscriminatory access on a first-come, first-served basis during this interim period. It also follows that, during this interim period, the cable operator must not censor or exercise program content control of any kind over the material presented on the public access channel. However, his rules shall proscribe the presentation of any advertising material (including political advertising spots), of lotteries, and, in terms identical to 18 U.S.C. § 1464, of obscene or indecent matter. The regulations shall also specify that persons or groups seeking access be identified, and their addresses obtained; these are reasonable requirements, and this information should be publicly available.

We do not envision any other proscriptions during this experimental period. We recognize that open access carries with it certain risks. But some amount of risk is inherent in a democracy committed to fostering "uninhibited, robust, and wide-open" debate on public issues. (*New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)). In any event, further regulation in this sensitive area should await experience and the outcome of the proceeding we expect to initiate. For example, we intend to explore whether it would be feasible or desirable to provide subscribers a locked switch to cut off the public access or leased channels, should parents wish to control their children's viewing.

In short, we recognize that the public access channel requirements may result in many problems for the cable operator, especially during the break-in period. Effective operational procedures can evolve only from trial and error, and it is probable that different systems will have diverse problems not presently capable of being solved by uniform regulation. We note, for example, the need to decide how applications for access time shall be made, who must make them, what overall time limitations might be desirable, how copyrighted material will be protected, how production facilities will be provided, how the public can get some advance notice of what is to be presented, and so on. All these questions will probably be answered by cable systems in a number of different ways. Again, we will require that the rules adopted by cable systems in these respects be filed with us and made available to the public. But experimentation appears to be the best way to determine what will be workable for the long run. Only with experience will we be able to tell what further general rules, if any, are called for.

The cable operator, except for channels programmed by the system itself, similarly must not censor or exercise program content control of any kind over the material presented on the leased channels. Specifically, his rules shall provide for nondiscriminatory access on a first-come, first-served basis with the appropriate rate schedule specified. Again, he shall obtain the names and addresses of the persons or groups seeking access, and shall adopt rules proscribing the presentation of obscene or indecent matter (in the precise terms of 18 U.S.C. § 1464), lotteries, and advertising material not containing the necessary commercial identification. Finally, in contrast with existing cablecasting rules (Section 74.1117), we will not require commercials only at natural breaks on these channels. It is our expectation that there will be experimentation in this respect, with some channels used entirely for advertising, some following the pattern of present commercial broadcasts, and others that of Section 74.1117. We do not wish to inhibit in any way the presentation of new materials over these channels during this critical introductory period. Again, we leave to the rule making proceeding such questions as dealing with false and misleading advertising, some possible modified fairness or personal attack requirements, and the like.

Liability

Many cable operators are concerned about potential civil and criminal liability resulting from use of these public access and leased channels. There is little if any possibility of a criminal suit in a situation where the system has no right of control and thus no specific intent to violate the law. *See*, e.g., *Baird v.*

Arizona State Bar, 401 U.S. 1 (1971); *In Re Stolar*, 401 U.S. 23 (1971); *Law Students Civil Rights Research Council v. Wadmond*, 401 U.S. 154 (1971); *Yates v. United States*, 354 U.S. 298 (1957).

The cable operator's real fears seem, in fact, to center mainly around potential libel suits. The possible number and scope of such actions is, however, severely limited. In *Rosenbloom v. Metromedia, Inc.*, 39 U.S.L.W. 4694 (1971), the Court extended the "actual malice" rule of *New York Times Co. v. Sullivan, supra.*, to cover any situation where "the utterance involved concerns a matter of public or general interest." Since most users will presumably air opinions on matters that are of at least as much "public or general interest" as in the *Rosenbloom* case, it seems likely that their speech would come within the "actual malice" rule. No such malice could be imputed to a cable operator who had no control over the given program's content.

In the unlikely event that some material presented on these non-broadcast channels were to fall outside the broad scope of the Court's recent decisions such as *Rosenbloom*, this would not necessarily mean that the system is liable. (Of course, the programmer would remain fully liable.) We have adopted the no-censorship requirement in order to promote "robust, wide-open debate" and for the policy reasons set out above; these are, we believe, valid regulations having "the force of law." While the matter is of course one for resolution by the courts (as also would be the due process issues raised), we suggest that state law imposing liability on a system that has no control over these channels would frustrate federal purposes. In any event, if any problem should develop in this respect, it is readily remedied by Congress and, in this connection, we would welcome clarifying legislation. *Cf. Farmers Educational and Cooperative Union v. WDAY*, 360 U.S. 525 (1959).

Production Facilities

It is obvious that our goal of creating a low-cost, nondiscriminatory means of channel access cannot be attained unless members of the public have available some reasonable production facilities. We expect that many cable systems will have facilities with which to originate programming, and such facilities should also be available to produce program material for public access. Hopefully, colleges and universities, high schools, recreation departments, churches, unions, and other community sources will have low-cost video-taping equipment available to the public. Whatever sources are available, however, we will require that the cable operator maintain at least minimal production facilities for public use within the franchise area.

In this experimental stage, when cablecasting material may well come from diverse sources, it could be self-defeating to require a cable operator to carry this material and at the same time to meet stringent technical standards. We note specifically that the use of half-inch video tape is a growing and hopeful indication that low-cost video tape recording equipment can and will be made available to the public. While such equipment does not now meet our technical standards for broadcasting, the prospects for its improvement and refinement are excellent. Further, since it provides an inexpensive means of program production, we see no reason why its development should not be encouraged for use on cable channels.

Many elaborate suggestions have been made for comprehensive community control plans such as neighborhood origination centers, mobile communications vehicles, and neighborhood councils to oversee access channels. Here again the Commission will encourage experimentation rather than trying to enforce a more formal structure at this time.

Applicability

These access rules will be applicable to all new systems that become operational in the top 100 markets (as defined in Section I above). Currently operating systems in the top 100 markets would have five years to comply with this section. Existing systems in markets below the top 100 would be required to meet these access rules when and as the system is substantially rebuilt.

Our reasons for focusing on the top 100 markets may be briefly stated. We have delineated these markets (within 35 mile zones) as the recipients of special benefits in order to stimulate cable growth. But, correspondingly, that growth should be accompanied by these access requirements or the public will not fully

receive the benefits we seek. To the extent that this may pose some problems for systems operating in relatively small communities in these markets, such systems are free to meet their obligations through joint building and related programs with cable operators in the larger core areas.

Finally, if these requirements should impose an undue burden on some isolated system, that is a matter that can be dealt with in a waiver request, with an appropriate detailed showing.

III. TECHNICAL STANDARDS

Our objective in determining for the first time what technical standards should be made applicable to cable television systems has been to devise rules that assure the subscriber at least a minimum standard of reception quality, while at the same time permitting the continuation of technical experimentation. Thus, unlike our regulatory approach in broadcasting, we do not specify standards prescribing either the methods for measuring transmission performance or specifying the types of equipment that cable systems must use. Instead, the thrust of our rules is to require that a signal must meet certain standards of minimum technical performance on its arrival at any subscriber's terminal.

At this time our requirements would apply only to the carriage of standard television signals. We expect, however, that there will be need for technical standards—in some measure possibly different—for carriage of cable originated programs, return (two-way) communication, and various miscellaneous cable services as they develop. While appropriate standards for these services and other technical aspects of cable are under study, it will be necessary to call on the various technical industries for advice and consultation, and we plan soon to announce the formation of a task force of experts to advise us in designated areas. We intend to continue the rule making process and to request comments on such matters as limitations on permissible cross-modulation, ghosting, measurement techniques, carriage of aural broadcast signals, and a requirement for synchronous delivery of VHF stations.

In anticipation of the various uses of cable television—some of which are already beginning to be realized—we are defining four classes of cable television channels. Class I channels will be those segments of bandwidth used for carriage of standard television signals. It is only to Class I channels that our technical standards would apply initially. Class II will be used for cable originated programming, including public and educational access services. Class III channels will be for non-television miscellaneous services and printed message material. And Class IV channels will be those used for return communication. Our purpose in defining four classes of channels is to recognize that the varied services expected to be provided by a cable system will use different amounts of bandwidth or require different technical parameters, some "channels" requiring a full 6 MHz of bandwidth, others more or less. As suggested above, different technical standards may well be needed for different cable services, and we have therefore fixed on these separate channel definitions to facilitate whatever standards we adopt.

At this time our technical standards will include specifications for frequency boundaries, visual carrier frequency levels, aural carrier frequency levels, channel frequency response, terminal isolation, and system radiation. We will provide, however, that systems of unusual design that cannot comply with one or more of the technical specifications will be permitted to operate on an adequate showing that the public interest is benefited thereby. The Commission will reserve the right in such instances to prescribe special technical standards to ensure that subscribers will be provided with good service quality.

Responsibility for designing, installing, maintaining, and operating cable systems to ensure that our standards are met will be placed on system operators. We will require that every cable system operator conduct complete performance tests of his system at least once a year and keep the results of such tests on public file for five years. The performance tests will compel measurements made at no less than three widely separated points on the system, at least one of which would be representative of terminals most distant from the system input. We will, of course, require that the operator record a description of the instruments and procedures used in making such measurements and a statement of the qualifications of the person performing the tests.

We will also require that the operator of each system maintain a current listing of channels delivered to subscribers and the station or stations whose signals are delivered on each Class I cable channel.

Each system operator will have to be prepared at any time to show, on reasonable request from the Commission, that his system does in fact comply with the technical standards. Additionally, it should be noted that successful completion of the performance tests will not relieve the system operator of the obligation to meet the technical standards at each subscriber terminal. The implementation of these rules would generally eliminate the degradation of local broadcast signals. We will also reserve the right to require additional tests at specific terminals.

We consider it important that the cable industry move forward as quickly as possible with a program to obtain compliance with the technical standards we plan to adopt. Thus, we will require that new systems and those that may now be in the planning or construction phase and have not delivered programs to subscribers on the effective date of these rules will have to comply with the technical standards within one year. For existing systems, however, we envision a five-year compliance period.

IV. FEDERAL-STATE/LOCAL RELATIONSHIPS

In the *Notice of Proposed Rule Making in Docket No. 18892*, 25 FCC 2d 50 (1970), we stated that we favored federal regulation of some aspects of cable television and local—i.e., state or municipal—regulation of others under a federal prescription of standards. The comments generally agreed that certain areas of cable regulation can best be dealt with at the federal level because states and municipalities lack the necessary resources for effective regulation. We are also persuaded that, absent affirmative Commission action, state and local bodies would be free in other areas of regulation to style cable growth in a manner at odds with the Commission's nationwide regulatory plan. Accordingly, it is our view that federal regulation is clearly indicated in such areas as signals carried, technical standards, program origination, cross-ownership of cable and other media, and equal employment opportunities. And federal regulation of matters directly affecting programs and signals carried is, of course, entirely consistent with *United States* v. *Southwestern Cable Co.*, 392 U.S. 157 (1968).

The comments generally advanced persuasive arguments against federal licensing. We agree with the contention that federal licensing at this time would place an unmanageable administrative burden on the Commission. Accordingly, we will not now take that step. Furthermore, local governments are markedly involved, since cable must make use of streets and alleys, and local authorities are able to bring to bear a special expertness on such matters, for example, as how best to parcel a large urban area into cable districts. Local authorities are also in a more effective position to follow up on service complaints.

Accordingly, we will leave a number of areas to local regulation, but will take steps to insure efficient nationwide communications service with adequate facilities at reasonable charges. And we will expect to accomplish this by specifying minimum requirements in the local franchising process.

Basic Qualifications—Choice of Franchisee and Service Area

We will require that the cable system, before commencing operation with broadcast signals, file a copy of its franchise with us and a certificate showing that the franchising authority in a public proceeding has considered the system operator's legal and financial qualifications, and the adequacy and feasibility of his construction arrangements.[2] We are authorizing the use of broadcast signals in order to obtain new benefits for the public, and no such benefits will be forthcoming if the cable applicant is legally, financially, or technically unable

[2] While we are not at this time instituting rules concerning the franchise selection process, we do strongly suggest that the local franchising authority require a public invitation to all who might want to compete for a local franchise, that all bids be placed on public file and reasonable public notice be given, that a public hearing be held to afford all interested persons an opportunity to testify on the merits or demerits of the various applicants, and finally that the franchising authority release a public report setting forth the basis for its action.

to operate. The character of the cable applicant takes on added significance because he may well be engaged in program origination. Nor does this consideration rest on the validity of the Commission's *First Report and Order in Docket 18397*—a matter now before the Courts—since in any event the cable system is free to originate, and may well do so in order to promote its growth. Some governmental body must ensure character consistent with the public interest and, in the circumstances, that body will be the local entity authorized to do so by state law.

While local authorities must examine the above aspects of eligibility and certain others to be discussed, we do not believe it is appropriate to set out comparative criteria to govern the selection process. This is a new realm and we think it best to allow for a variety of experiments and approaches. We do intend to collect and publish data on the various methods used, so that we may review the matter and also be of assistance to the many franchising entities involved.

The local entity must also make the determination whether to divide up the city, county, or state, and, if so, how. We would only stress the obvious—that it must make provision that the franchisee extend service equitably to all parts of the franchise area. A plan that would bring cable only to the more affluent parts of a city, ignoring the poorer areas even though dense in population, simply could not stand. No broadcast signals would be made available in such circumstances. We emphasize however that, barring such inequity, we do not intend to supervise the manner of dividing up political subdivisions. There are obviously a variety of reasonable ways to proceed here, and the matter is one uniquely for the judgment of the local entity.

Construction Timetable—Franchise Duration

We will require that the local franchising authority set reasonable deadlines for construction and operation of systems to ensure that franchises do not lie fallow or become the object of trafficking. Specifically, we will provide that the franchise require that the cable system have an operable head-end within one year after this Commission grants a certificate of compliance, and that thereafter it meet substantial percentage figures for extension of energized trunk cable, such figures to be set by the local authority. This represents neither an innovation nor a hardship for local franchising authorities, since many already impose similar requirements. We believe, in general, that the cable franchisee should be required to extend energized trunk cable to 20 percent of the franchise area per year, for its first five years of operation, with the extension to begin within one year after the Commission issues its certificate of compliance. But we will not lay this down as an inflexible rule, recognizing that particular local circumstances may vary.

We will require the franchising authority to place a reasonable limit on the duration of the franchise, and its renewal. This obviously requires striking a balance between a sufficient time scale to attract venture capital and, in effect, a franchise in perpetuity. The latter is unsatisfactory to state and local regulatory authorities and would be an invitation to obsolescence, because of cable's explosive technological development. We think that, generally speaking, a franchise should not exceed 15 years, with a reasonable renewal period. The economics of cable operation would appear to allow for amortization of initial investment over a 15-year period, and efficient operators can reasonably expect their franchises to be renewed. In short, while we will set out the 15-year period as a general guide, we recognize that the local franchising authority may decide to vary the period based on particular circumstances. For example, an applicant proposing to wire inner-city areas free or at reduced rates might be given a longer franchise.

Subscriber Rates—Service Standards

We will require that the franchising or other governmental authority specify or approve initial subscriber rates for services furnished by the franchisee; that a program be instituted for the review and, as necessary, adjustment of such rates; and that reasonable advance notice be given to the public of all proposed rate changes with the right of the affected members of the public to be heard. The appropriate standard here is the maintenance of rates that are fair to the system and to the subscribing public—a matter that once again will turn on the facts of each particular case and, in the next years, the accumulated experience of other communities with cable. Finally, while we will specify general technical stand-

ards, the franchising authority must have a program to ensure quality of service and to review service complaints. Once again our provisions will be designed to impose a general standard of franchisee responsibility while leaving specific substantive decisions to local authorities.

Franchise Fees

We proposed a two percent limitation on local franchise fees in our *Notice of Proposed Rule Making in Docket 18892, supra.* While we have decided against adoption of this specific limitation, we believe that some provision to ensure reasonableness in this respect is necessary for a variety of reasons.

First, many local authorities have—understandably but unfortunately—exacted high franchise fees for revenue-raising rather than regulatory purposes. Though most fees seem to run about five percent, some have been known to run as high as 36 percent. The ultimate effect of any revenue-raising fee is to levy an indirect and regressive tax on cable subscribers, and our further concern is that the combination of high local franchise fees and cable's other financial responsibilities may so burden the industry that it will be unable to carry out its part of an integrated national communications program.

We must also take into account the likelihood that cable systems may, in the near future, be subject to Congressionally-imposed copyright fees. We are, of course, aware that cable has in many places achieved public acceptance, but there are limits on the number of different directions in which cable revenues can be stretched. As we indicated in our above *Notice*, our goal is to strike a balance that permits the achievement of federal goals and at the same time allows adequate revenues for the maintenance of an appropriate local regulatory program.

This Commission imposes a fee to finance its own cable regulatory program. The regulatory program to be carried out by the local entity is different in scope and indeed may differ from jurisdiction to jurisdiction. While we think that generally franchise fees should run between three and five percent as a maximum, we believe it more appropriate to specify a general standard to be implemented within the specific local context. Thus, we will simply require that the franchise fee must be a reasonable one that does not interfere with the effectuation of federal goals. But when the fee is in excess of three percent (including all forms of consideration, such as initial lump sum payments), the franchising authority shall submit a showing of the appropriateness of the fee specified, particularly in light of the planned local regulatory program. The franchisee shall also set forth a showing that the fee specified does not interfere with achievement of his responsibilities as defined in relevant Commission rules and documents. As we gain more experience in this area, we will doubtless take further action and may well issue a further notice of inquiry or proposed rule making when our cable rules go into effect.

Grandfathering

We will apply generous grandfathering provisions. An existing cable system will be required to certify that its franchise includes the above provisions within five years of adoption of our rules or upon renewal of its franchise, whichever occurs first. This delay should relieve both cable systems and local authorities of whatever minor dislocations the new rules might cause.

Advisory Committee

The provisions of this Section of the document represent the bare minimum needed to get cable under way, and some matters are best left to *ad hoc* consideration. We believe that a special committee composed of Commission representatives, and representatives of state and municipal entities, the cable industry, and of public interest groups would be most helpful, and we propose in the near future to create such a committee. This committee, through its Commission representative, can then report to and advise the full Commission as to the next appropriate steps in this important area. For, as we gain experience and data, we must be alert to take such further action as will promote the public interest. We intend also to make available to local entities the information garnered through proceedings of the Commission and the proposed committee, so that such local entities may be better informed as to pertinent approaches and data in this dynamic field.

V. FURTHER QUESTIONS

Despite the length of this document, you will appreciate that it does not contain as full a treatment of every aspect of cable development as will be included in our *Final Report and Order*. But it does set out the essence of our proposals, and our rules will follow directly from them.

We also want to make clear that there is much unfinished business in the cable field. For example, there is the outstanding proceeding dealing with cross and multiple ownership problems. Clearly, this federal matter must be resolved without undue delay so that threshold eligibility questions are laid to rest. To cite just one instance, strong arguments have been advanced that local ETV station operators should not be barred from any and all ownership participation in cable systems in their communities; and, as a matter of equity, these arguments should be dealt with before franchises are awarded in the markets that we are now proposing to open for cable penetration. We will therefore split out matters such as this for resolution before our new rules become effective.

This document itself refers to several new proceedings to deal further with a number of difficult problems. In the access area, for example, there will be a proceeding to consider the shape of new regulations (if any) on the access and leased channels; and this will reach to the important issue of preventing abuses, particularly with respect to rates, that might thwart the fullest possible provision and use of such channels.

In the federal-state/local area, there will be a proceeding to consider various aspects of matters treated here only in a preliminary way. This will include the difficult issue of delineating which services are interstate in nature and which intrastate and, even if the former, whether federal regulation should be exclusive.

Possible problems concerning carriage of radio station signals have not been treated here although some of the same issues raised by carriage of television signals may also be raised by radio signal carriage. Further inquiry and proceedings in this area will be required.

We have also been asked by the cable television industry to take action to encourage the manufacture and sale of television receivers specifically designed for use with high capacity cable systems, eliminating the need for set-top converters, improving reception of adjacent channels, and reducing direct pick-up interference. Inquiry in this area is clearly indicated and it will be an item on the agenda of the industry task force we propose to establish to assist us in formulating further technical standards.

Additionally, it may become necessary in the future to adopt a uniform set of cable accounting standards to aid in the implementation of effective regulatory programs. We will, therefore, issue a *Notice of Proposed Rule Making* to explore the need for and possible form of such standards. At this comparatively early point, however, the NCTA's *Accounting Manual for Cable Television* can serve as a useful focal point for discussion of this issue.

Our continued attention will also be required to ascertain whether existing rules to prevent the siphoning of programming from over-the-air broadcasting are effective or whether further regulations are indicated. We have referred to this at greater length in our discussion of sports events under "Television Broadcast Signal Carriage," above. We intend to keep a close watch on this whole question and will be receptive, as we indicated earlier, to Congressional guidance in this vital area of national concern.

Underlying all these issues is the fundamental fact that cable is not static but rather is an emerging technology, with a host of possible services still to come. It follows that our regulatory pattern must evolve as cable evolves—and no one can say, at this stage, what the precise direction will be. Many of those who testified at our hearings urged that cable's tendency will and indeed should be more and more toward a common carrier concept. And that, of course, would have profound regulatory consequences for which the Commission and the Congress must be prepared.

This document signifies the amount and the substance of regulation that we believe is essential now for the orderly development of the cable industry. But its ability to survive and prosper will ultimately, in our view, be tested in the market place. We have, in short, proposed first steps—long overdue. We welcome your participation in this most important matter and, in effect, a continuing part-

nership. Our objective and yours is surely the same—to bring to the American people an effective and a diverse communications system, in accordance with the mandate of the Communications Act of 1934.

This letter was adopted by the Commission on August 3, 1971, Commissioners Burch (Chairman), Bartley, R. E. Lee, Johnson, H. R. Lee, and Houser voting for adoption of the document, and Commissioner Wells dissenting (separate statement attached hereto).

By Direction of the Commission,
Dean Burch, *Chairman.*

Dissenting Statement of Commissioner Robert Wells

I would have preferred to concur in the action of the majority in the adoption of this document for we all have the same goals. Our objective is to provide for the further development of cable television systems, done in such a manner that we do not disrupt or diminish the service now being brought to the public by the broadcasting industry. Since we all wanted to achieve this goal, most of our differences are matters of degree.

However a segment of the action taken by the majority represents another example of over regulation at the Federal level. It was done without local franchising authorities having an adequate opportunity to demonstrate their ability or inability in this complex field.

We do not have before us a case of federal funding where some federal controls are inevitable. We have preempted jurisdiction where for various reasons the basic requirements for these systems vary from one franchise area to another. Rather gratuitously the majority has assumed that *all* expertise in this matter is at the Federal Communications Commission. It is true that the Commission has held many hours of hearings and discussions on cable television and should be more informed than most local franchising authorities in many aspects. This does not mean that the Commission has acquired the necessary skills required to deal with local problems which reasonably can be expected to arise in such a complex field. The rationale for assuming our expertise in local situations, which is thought to be so great so as to preclude even giving local authorities any control over what is needed in the way of local access channels, escapes me.

While I would favor a nationwide interconnected cable television network, at this time I oppose allowing signals to be imported from any distance as is proposed in the document before us. The possibility of adverse impact by such signals upon existing broadcast services is of grave concern. I would have been more cautious now, hoping that experience would permit us to come to the point where all restrictions might be abolished.

Stating my objections briefly, I believe we could have given cable systems less in distant signal importation and still stimulated its growth. On the other hand, I would not have the Commission burdening cable operators with what could prove to be excessive capital outlays because of our proposals for non-broadcast channel capacity. I am sure that in some cases our channel capacity requirements will prove to be quite reasonable. The local franchising authorities are in the best position to make that determination and I would leave the matter of access channels entirely to them. Neither would I make any reference to franchise fees or subscriber rates for these again should

be left to the judgment of the local authority, and the Commission should not preempt this jurisdiction.

Although I realize any distinction between markets by size is purely arbitrary, I would have preferred a figure other than markets 1–50. For the purpose of this subject, the placing of Wilkes-Barre, Pennsylvania in the same category as New York City is not logical when one considers the question of the ability of the Wilkes-Barre market to withstand the impact of additional distant signal competition. Again, I realize any figure is open to argument, but I do feel we could have arrived at a better division.

I also see the Commission's action as one which will result in a substantial number of requests for waivers from the cable television systems in the many different areas covered by these proposals. Such requests would, in my judgment, have been far fewer in number if local issues had remained for the local authorities' determination, and decisions could be handled far more expeditiously.

On a matter as complex as this one, I could write a lengthy document. I do not choose to belabor all the details. Although I agree with the motives, I disagree with many of the principles involved in our federal-state relationship and have stated some of these objections. Most of my other differences are matters of degree. In the final analysis, I disagree with such a substantial amount of this document that I have no alternative but to dissent.

APPENDIX A

The Major Television Markets and Their Designated Communities

(Numbers in Parentheses Indicate Market Ranking)

FIRST FIFTY MAJOR MARKETS

Albany-Schenectady-Troy, N.Y. (34)
Atlanta, Ga. (18)
Baltimore, Md. (14)
Birmingham, Ala. (40)
Boston-Cambridge-Worcester, Mass. (6)
Buffalo, N.Y. (24)
Charleston-Huntington, W. Va. (36)
Charlotte, N.C. (42)
Chicago, Ill. (3)
Cincinnati, Ohio-Newport, Ky. (17)
Cleveland-Lorain-Akron, Ohio (8)
Columbus, Ohio (27)
Dallas-Fort Worth, Tex. (12)
Dayton-Kettering, Ohio (41)
Denver, Colo. (32)
Detroit, Mich. (5)
Greensboro-High Point-Winston-Salem, N.C. (47)
Greenville-Spartanburg-Anderson, S.C.-Asheville, N.C. (46)
Hartford-New Haven-New Britain-Waterbury, Conn. (19)
Houston, Tex. (15)
Indianapolis-Bloomington, Ind. (16)
Kalamazoo-Grand Rapids-Muskegon-Battle Creek, Mich. (37)
Kansas City, Mo. (22)
Los Angeles-San Bernardino-Corona-Fontana, Cal. (2)
Louisville, Ky. (38)
Memphis, Tenn. (26)
Miami, Fla. (21)
Milwaukee, Wis. (23)
Minneapolis-St. Paul, Minn. (13)
Nashville, Tenn. (30)
New Orleans, La. (31)
New York, N.Y.-Linden-Paterson, N.J. (1)
Norfolk-Newport News-Portsmouth-Hampton, Va. (44)
Oklahoma City, Okla. (39)
Philadelphia, Pa.-Burlington, N.J. (4)
Phoenix-Mesa, Ariz. (43)
Pittsburgh, Pa. (10)
Portland, Ore. (29)
Providence, R.I.-New Bedford, Mass. (33)
Sacramento-Stockton-Modesto, Cal. (25)
Salt Lake City, Utah (49)
San Antonio, Tex. (45)
San Francisco-Oakland-San Jose, Cal. (7)

Seattle-Tacoma, Wash. (20)
St. Louis, Mo. (11)
Syracuse, N.Y. (35)
Tampa-St. Petersburg, Fla. (28)
Washington, D.C. (9)
Wichita-Hutchinson, Kan. (48)
Wilkes Barre-Scranton, Pa. (50)

SECOND FIFTY MAJOR MARKETS

Albuquerque, N. Mex. (81)
Amarillo, Tex. (95)
Baton Rouge, La. (87)
Beaumont-Pt. Arthur, Tex. (88)
Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill. (69)
Cedar Rapids-Waterloo, Iowa (66)
Chattanooga, Tenn. (78)
Columbia, S.C. (100)
Columbus, Ga. (94)
Davenport, Iowa-Rock Island-Moline, Ill. (61)
Des Moines-Ames, Iowa (67)
Duluth-Superior, Minn. (89)
Evansville, Ind. (86)
Fargo-Grand Forks-Valley City, N.D. (98)
Flint-Bay City-Saginaw, Mich. (62)
Fort Wayne-Roanoke, Ind. (82)
Fresno, Cal. (72)
Green Bay, Wis. (63)
Greenville-Washington-New Bern, N.C. (84)
Harrisburg-Lebanon-Lancaster-York, Pa. (58)
Huntsville-Decatur, Ala. (96)
Jackson, Miss. (77)
Jacksonville, Fla. (68)
Johnstown-Altoona, Pa. (74)
Knoxville, Tenn. (71)
Lansing-Onondaga, Mich. (92)
Lincoln-Hastings-Kearney, Neb. (91)
Little Rock, Ark. (51)
Madison, Wis. (93)
Mobile, Ala.-Pensacola, Fla. (60)
Monroe, La.-El Dorado, Ark. (99)
Omaha, Neb. (54)
Orlando-Daytona Beach, Fla. (56)
Peoria, Ill. (83)
Portland-Poland Spring, Me. (75)
Raleigh-Durham, N.C. (73)
Richmond-Petersburg, Va. (64)
Roanoke-Lynchburg, Va. (70)
Rochester, N.Y. (57)
Rockford-Freeport, Ill. (97)
San Diego, Cal. (52)
Sioux Falls-Mitchell, S.D. (85)
South Bend-Elkhart, Ind. (80)
Spokane, Wash. (76)
Springfield-Decatur-Champaign-Jacksonville, Ill. (65)
Texarkana, Tex.-Shreveport, La. (59)
Toledo, Ohio (53)
Tulsa, Okla. (55)
Wheeling, W. Va.-Steubenville, Ohio (90)
Youngstown, Ohio (79)

APPENDIX B

Cable Signal Carriage in Major Markets

The attached chart depicts the number of signals that cable would be permitted to carry under our new rules in the designated cities of the top 100 television markets. For each market: Column I shows stations authorized in the market; column II lists signals meeting the viewing test; column III shows distant signals permitted to be added; and column IV totals the above three columns and gives the total number of signals available under our rules in each of the designated cities.

Additionally, the "Overlapping Market Comparison" in Column V shows how many signals from out of the market would be available under our existing rule which (other than in special footnote 69 situations) requires the carriage of all Grade B signals and compares it with the comparable number that will be available under our new viewing test, restricting carriage of out of market signals to those that are significantly viewed in the home market (the "Viewing Test" entries in Column V are the same as the entries in Column II). In all cases, noncommercial educational stations and foreign language stations are not included.

In calculating signals available under the viewing test (Columns II and V), audience survey information has been used which includes data on cable subscriber viewing in the home county. Since cable viewing of out of market signals may conceivably distort off-the-air viewing patterns, we have undertaken a special survey to be conducted by ARB of the counties where there is substantial cable penetration (more than 10%). Viewing test results in Columns II and V are, therefore, subject to adjustment when the survey results become available. In overlapping market situations where out of market network stations meet the significant viewing test, those stations would, of course, be required to be deleted when presenting programs which duplicate the programming of the home market network stations.

Market	I		II		III		IV	V	
	Market signals		Viewing test signals		Additional signals		Total	Overlapping market comparison new viewing test vs. existing rule	
	Net	Independent	Net	Independent	Net	Independent		Viewing test	Out-of-market grade B's
1. New York, N.Y., Linden-Paterson, N.J.	3		5			2	10		5
2. Los Angeles-San Bernardino-Corona-Fontana, Calif.	3		8			2	13		
3. Chicago, Ill.	3		4			2	9		
4. Philadelphia, Pa., Burlington, N.J.	3		3			2	8		3
5. Detroit, Mich.[1]	3		3			2	8		4
6. Boston-Cambridge-Worcester, Mass.	3		3			2	8		4
	3		3			2	8		7
7. San Francisco-Oakland-San Jose, Calif.	4		4			2	10		5
	4		4			2	10		5
8. Cleveland-Loraine-Akron, Ohio	4		2			2	8		
	4		2			2	8		3
9. Washington, D.C.	3		3			2	8		4
10. Pittsburgh, Pa.	4		1			2	7		3
11. St. Louis, Mo.	3		2			2	7		
12. Dallas-Fort Worth, Tex.	3		2			2	7		
13. Minnesolis-St. Paul, Minn.	3		1			2	6		
14. Baltimore, Md.	3		2	1		2	8	1	6
15. Houston, Tex.	3		1			2	6		
16. Indianapolis-Bloomington, Ind.	3		2			2	7		
	3		2	2		2	9	2	2
17. Cincinnati, Ohio-Newport, Ky.	3		1			2	6		5
18. Atlanta, Ga.	3		2			2	7		
19. Hartford-New Haven-New Britian-Waterbury, Conn.[2]	6		1			2	9		3
	4		1	2	3	2	12	5	4
	6		1			2	9		2
	4		1	2	3	2	12	5	2
20. Seattle-Tacoma, Wash.	3		2			2	7		1
	3		2			2	7		
21. Miami, Fla.	3		2			2	7		2
22. Kansas City, Mo.	3		1			2	6		1
23. Milwaukee, Wis.	3		1			2	6		1
24. Buffalo, N.Y.	3		1	1		2	7	1	2
25. Sacramento-Stockton-Modesto, Calif.[3]	3		2			2	7		4
	3		2	1		2	8	1	8
	3		2	1		2	8	1	6
26. Memphis, Tenn.	3					3	6		
27. Columbus, Ohio	3					3	6		
28. Tampa-St. Petersburg, Fla.	3		1			2	6		
29. Portland, Oreg.	3		1			2	6		1
30. Nashville, Tenn.	3		1			2	6		
31. New Orleans, La.	3		1			2	6		2
32. Denver, Colo.	3		1			2	6		2
33. Providence, R.I.-New Bedford, Mass.[2]	3		3			2	8	3	7
	3		3	1		2	9	4	6
34. Albany-Schenectady-Troy-N.Y.	3					3	6		1
	3					3	6		1
	3					3	6		
35. Syracuse, N.Y.	3					3	6		3
36. Charleston-Huntington, W. Va.	3					3	6		1
	3					3	6		
37. Kalamazoo-Grand Rapids-Muskegon-Battle Creek, Mich.	4		1			2	7		6
	4		1			2	7		1
	4		1			2	7		
	5		1	1	1	2	10	2	3
38. Louisville, Ky.	3		1			2	6		1
39. Oklahoma City, Okla.	3					3	6		1
40. Birmingham, Ala.	3					3	6		
41. Dayton-Kettering, Ohio	3		1	3		2	9	3	4
42. Charlotte, N.C.	3		1			2	6		5
43. Phoenix-Mesa, Ariz.	3		2			2	7		

Market	I		II		III		IV	V	
	Market signals		Viewing test signals		Additional signals		Total Viewing test	Overlapping market comparison new viewing test vs. existing rule	
	Net	Independent	Net	Independent	Net	Independent			Out-of-market grade B's
44. Norfolk-Newport News-Portsmouth-Hampton, Va.	3	1					2	6	1
	3	1					2	6	3
	3	1					2	6	1
	3	1					2	6	1
45. San Antonio, Tex.	3	1					2	6	
46. Greenville-Spartanburg-Anderson, S.C., Asheville, N.C.	5	1					2	8	
	5	1	1				2	9	1 1
	5	1					2	8	
	5	1					2	8	3
47. Greensboro-High Point-Winston-Salem, N.C.	3						3	6	4
	3		2	1			3	9	3 3
	3						3	6	5
48. Wichita-Hutchinson, Kans.	3						3	6	
	3						3	6	
49. Salt Lake City, Utah	3						3	6	
50. Wilkes-Barre-Scranton, Pa.	3						3	6	1
	3						3	6	2
51. Little Rock, Ark.	3						2	5	
52. San Diego, Calif. [1 2]	3	1	1	4			2	11	5 6
53. Toledo, Ohio [3]	3		3	2			2	10	5 5
54. Omaha, Nebr.	3						2	5	1
55. Tulsa, Okla.	3						2	5	
56. Orlando-Daytona Beach, Fla.	3						2	5	
57. Rochester, N.Y.	3						2	5	4
58. Harrisburg-Lebanon-Lancaster-York, Pa.	5			1			2	8	1 1
	5		2	1			2	10	3 5
	5		3	2			2	12	5 9
	5		3	1			2	11	4 3
59. Texarkana, Tex.-Shreveport, La. [3 2]	3	1					2	6	
60. Mobile, Ala.-Pensacola, Fla.	3						2	5	1
	3						2	5	
61. Davenport, Iowa-Rock Island-Moline, Ill.	3						2	5	
62. Flint-Bay City-Saginaw, Mich [2]	3		4	2			2	11	6 8
	3						2	5	1
	3						2	5	1
63. Green Bay, Wis.	3						2	5	1
64. Richmond-Petersburg, Va.	3						2	5	
	3						2	5	4
65. Springfield-Decatur-Champaign-Jacksonville, Ill. [2]	5						2	7	
	5		3	1			2	11	1
66. Cedar Rapids-Waterloo, Iowa	3						2	5	
	3						2	5	1
67. Des Moines-Ames, Iowa	3						2	5	
68. Jacksonville, Fla.	3						2	5	
69. Cape Girardeau, Mo.-Paducah, Ky.-Harrisburg, Ill. [2]	3	1					2	6	
70. Roanoke-Lynchburg, Va.	4						2	6	2
	4						2	6	
71. Knoxville, Tenn.	3						2	5	1
72. Fresno, Calif. [2]	3	1					2	6	
73. Raleigh-Durham, N.C. [2]	2	1				2	2	7	4
	2	1	1			1	2	7	1 2
74. Johnstown-Altoona, Pa.	3		2				2	7	2 4
	3		1				2	6	1
75. Portland-Poland Springs, Maine	3						2	5	
76. Spokane, Wash.	3						2	5	
77. Jackson, Miss.	3						2	5	1
78. Chattanooga, Tenn.	3						2	5	2

Market	I		II		III		IV	V	
	Market signals		Viewing test signals		Additional signals		Total	Overlapping market comparison new viewing test vs. existing rule	
	Net	Independent	Net	Independent	Net	Independent		Viewing test	Out-of-market grade B's
79. Youngstown, Ohio	3					2	5		11
80. South Bend-Elkhart, Ind.	3			1		2	6	1	
	3					2	5		1
81. Albuquerque, N. Mex.	3					2	5		
82. Fort Wayne-Roanoke, Ind.	3					2	5		1
83. Peoria, Ill.	3					2	5		3
84. Greenville-Washington-New Bern, N.C.	3					2	5		2
	3					2	5		
	3					2	5		
85. Sioux Falls-Mitchell, S.D.	3		1			2	6	1	2
	3					2	5		
86. Evansville, Ind.	3					2	5		
87. Baton Rouge, La.[2]	2				3	2	7		3
88. Beaumont-Port Arthur, Tex.	3					2	5		1
89. Duluth-Superior, Minn.	3					2	5		
90. Wheeling, W. Va.-Steubenville, Ohio	2		3			2	7	3	4
	2		3	1		2	8	4	4
91. Lincoln-Hastings-Kearney, Nebr.[3 2]	3	1	3			2	9	3	4
	3	1				2	6		
	3	1				2	6		
92. Lansing-Onondaga, Mich.	2		3			2	7	3	8
	3		3			2	8	3	9
93. Madison, Wis.	3					2	5		1
94. Columbus, Ga.	3					2	5		
95. Amarillo, Tex.	3					2	5		
96. Huntsville-Decatur, Ala.	3					2	5		
	3		2			2	7	2	
	3					2	5		5
97. Rockford-Freeport, Ill.	3					2	5		5
98. Fargo-Grand Forks-Valley City, N.D.	3					2	5		
99. Monroe, La.-El Dorado, Ark.[2]	2	1			1	2	6		
	2	1	4			2	9	4	2
100. Columbia, S.C.	3					2	5		

[1] Market includes a foreign station.
[2] Indicates certain markets that do not follow the usual pattern and where special treatment might, on further consideration, be appropriate. These include markets in which a great number of overlapping market signals meet the significant viewing test and markets below the top 50 in which an independent television station already exists.
[3] Indicates there is a nonoperational station in the market with a construction permit less than 18 months old.

APPENDIX D

CONSENSUS AGREEMENT

Local Signals

Local signals defined as proposed by the FCC, except that the significant viewing standard to be applied to "out-of-market" independent stations in overlapping market situations would be a viewing hour share of at least 2% and a net weekly circulation of at least 5%.

Distant Signals

No change from what the FCC has proposed.

Exclusivity for Nonnetwork Programming (against distant signals only)

A series shall be treated as a unit for all exclusivity purposes.

The burden will be upon the copyright owner or upon the broadcaster to notify cable systems of the right to protection in these circumstances.

A. *Markets 1–50.* A 12-month pre-sale period running from the date when a program in syndication is first sold any place in the U.S., plus run-of-contract exclusivity where exclusivity is written into the contract between the station and the program supplier (existing contracts will be presumed to be exclusive).

B. *Markets 51–100.* For syndicated programming which has had no previous non-network broadcast showing in the market, the following contractual exclusivity will be allowed:

(1) For off-network series, commencing with first showing until first run completed, but no longer than one year.

(2) For first-run syndicated series, commencing with first showing and for two years thereafter.

(3) For feature films and first-run, non-series syndicated programs, commencing with availability date and for two years thereafter.

(4) For other programming, commencing with purchase and until day after first run, but no longer than one year.

Provided, however, that no exclusivity protection would be afforded against a program imported by a cable system during prime time unless the local station is running or will run that program during prime time.

Existing contracts will be presumed to be exclusive. No pre-clearance in these markets.

C. *Smaller Markets.* No change in the FCC proposals.

Exclusivity for Network Programming

The same-day exclusivity now provided for network programming would be reduced to simultaneous exclusivity (with special relief for time-zone problems) to be provided in all markets.

Leapfrogging

A. For each of the first two signals imported, no restriction on point of origin, except that if it is taken from the top-25 markets it must be from one of the two closest such markets. Whenever a CATV system must black out programming from a distant top-25 market station whose signals it normally carries, it may substitute any distant signals without restriction.

B. For the third signal, the UHF priority, as set forth in the FCC's letter of August 5, 1971, p. 16.

Copyright Legislation

A. All parties would agree to support separate CATV copyright legislation as described below, and to seek its early passage.

B. Liability to copyright, including the obligation to respect valid exclusivity agreements, will be established for all CATV carriage of all radio and television broadcast signals except carriage by independently owned systems now in existence with fewer than 3500 subscribers. As against distant signals importable under the FCC's initial package, no greater exclusivity may be contracted for than the Commission may allow.

C. Compulsory licenses would be granted for all local signals as defined by the FCC, and additionally for those distant signals defined and authorized under the FCC's initial package and those signals grandfathered when the initial package goes into effect. The FCC would retain the power to authorize additional distant signals for CATV carriage; there would, however, be no compulsory license granted with respect to such signals, nor would the FCC be able to limit the scope of exclusivity agreements as applied to such signals beyond the limits applicable to over-the-air showings.

D. Unless a schedule of fees covering the compulsory licenses or some other payment mechanism can be agreed upon between the copyright owners and the CATV owners in time for inclusion in the new copyright statute, the legislation would simply provide for compulsory arbitration failing private agreement on copyright fees.

E. Broadcasters, as well as copyright owners, would have the right to enforce exclusivity rules through court actions for injunction and monetary relief.

Radio Carriage

When a CATV system carries a signal from an AM or FM radio station licensed to a community beyond a 35-mile radius of the system, it must, on request, carry the signals of all local AM or FM stations, respectively.

109-005—72——10

Grandfathering

The new requirements as to signals which may be carried are applicable only to new systems. Existing CATV systems are "grandfathered." They can thus freely expand currently offered service throughout their presently franchised areas with one exception: In the top 100 markets, if the system expands beyond discrete areas specified in FCC order (e.g., the San Diego situation), operations in the new portions must comply with the new requirements.

Grandfathering exempts from future obligation to respect copyright exclusivity agreements, but does not exempt from future liability for copyright payments.

APPENDIX E

January 26, 1972.

Hon. JOHN L. MCCLELLAN,
Chairman, Subcommittee on Patents, Trademarks and Copyrights, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This letter is directed to an important policy aspect of our present deliberations on a new regulatory program to facilitate the evolution of cable television. That is the matter of copyright legislation, to bring cable into the competitive television programming market in a fair and orderly way—a matter with which you as Chairman of the Subcommittee on Patents, Trademarks and Copyrights have been so deeply concerned in this and the last Congress.

You will recall that we informed the Congress, in a letter of March 11, 1970 to Chairman Magnuson, of our view that a revised copyright law should establish the pertinent broad framework and leave detailed regulation of cable television signal carriage to this administrative forum. In line with that guiding principle and a statement in our August 5, 1971 Letter of Intent that we would consider altering existing rules to afford effective non-network program protection, we are now shaping a detailed program dealing with such matters as distant signal carriage, the definition of local signals, leapfrogging, and exclusivity (both network and non-network). That program is now approaching final action.

As of course you know, representatives of the three principal industries involved—cable, broadcasters, and copyright owners—have reached a consensus agreement that deals with most of the matters mentioned above. On the basis of experience and a massive record accumulated over the past several years, we regard the provisions of the agreement to be reasonable, although we doubtless would not, in its absence, opt in its precise terms for the changes it contemplates in our August 5 proposals. But the nature of consensus is that it must hold together in its entirety or not at all—and, in my own view, this agreement on balance strongly serves the public interest because of the promise it holds for resolving the basic issue at controversy.

This brings me directly to a key policy consideration where your counsel would be most valuable. That is the effect of the consensus agreement, if incorporated in our rules, on the passage of cable copyright legislation.

The Commission has long believed that the key to cable's future is the resolution of its status vis-a-vis the television programming distribution market. It has held to this view from the time of the First Report (1965) to the present. We remain convinced that cable will not be able to bring its full benefits to the American people unless and until this fundamental issue is fairly laid to rest. An industry with cable's potential simply cannot be built on so critical an area of uncertainty.

It has also been the Commission's view, particularly in light of legislative history, that the enactment of cable copyright legislation requires the consensus of the interested parties. I note that you have often stressed this very point and called for good faith bargaining to achieve such consensus.

Thus, a primary factor in our judgment as to the course of action that would best serve the public interest is the probability that Commission implementation of the consensus agreement will, in fact, facilitate the passage of cable copyright legislation. The parties themselves pledge to work for this result.

Your advice on this issue, Mr. Chairman, would be invaluable to us as we near the end of our deliberations.

With warm personal regards.

Sincerely,

DEAN BURCH, *Chairman.*

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON PATENTS, TRADE-MARKS, AND COPYRIGHTS,

Washington, D.C., January 31, 1972.

Hon. DEAN BURCH,
Chairman, Federal Communications Commission,
Washington, D.C.

DEAR MR. CHAIRMAN: I have your letter of January 26, 1972, requesting my advice on the effect of the consensus agreement reached by the principal parties involved in the cable television controversy on the passage of legislation for general revision of the copyright law.

I concur in the judgment set forth in your letter that implementation of the agreement will markedly facilitate passage of such legislation. As I have stated in several reports to the Senate in recent years, the CATV question is the only significant obstacle to final action by the Congress on a copyright bill. I urged the parties to negotiate in good faith to determine if they could reach agreement on both the communications and copyright aspects of the CATV question. I commend the parties for the efforts they have made, and believe that the agreement that has been reached is in the public interest and reflects a reasonable compromise of the positions of the various parties.

The Chief Counsel of the Subcommittee on Patents, Trademarks and Copyrights in a letter of December 15, 1971 has notified all the parties that it is the intention of the Subcommittee to immediately resume active consideration of the copyright legislation upon the implementation of the Commission's new cable rules.

I hope that the foregoing is helpful to the Commission in its disposition of this important matter.

With kindest regards, I am

Sincerely,

JOHN L. MCCLELLAN, *Chairman.*

CONCURRING STATEMENT OF CHAIRMAN BURCH

Prologue

Since the day I joined the Federal Communications Commission, on October 31, 1969, one of the most complex, controversial and significant issues we have had to face has been the shaping of a regulatory program for cable television. In this we have been fortunate. Only rarely does a governmental body have the opportunity to take part in an act of genuine creation—in this instance, to turn a corner in communications technology that holds the promise at least of a whole new era of service to the American people. I believe the Commission's response has been in keeping with its opportunity: months of painstaking study, measured deliberation, culminating in regulatory craftsmanship of a high order. We have grounds for pride in a signal accomplishment.

During this same period of time, I and the other Commissioners have been exposed to an incessant barrage of vilification, willful mis-

representation, and left-handed slander issuing from our colleague, Commissioner Johnson. I have chosen in this Concurring Statement to respond in some detail to his latest polemic, not because it is particularly better or worse than the run of his performances [1] but because of the unusual importance of the subject matter. And more, because he *is* essentially a performer, he is good copy. This means that his attempt to distort an act of creation into a public obscenity may end up becoming *the* story of the Commission's cable program. I find this insupportable and, charged as I am with leadership of this Commission (but speaking here for myself only), I am not about to let it go unchallenged.

There is another consideration that outweighs any reluctance I might feel about entering the lists. The end product of the regulatory craft is inherently unglamorous. It is all but incomprehensible to the layman. And because it generally melds a mixed bag of competing, conflicting options, a set of rules is at best a pale copy of the good, the true, and the beautiful. Responsible policymakers recognize the imperfections of their craft. They operate reluctantly but resignedly within the bounds of the possible.

Not so Commissioner Johnson. In the manner of demagogues, he elevates gross simplification to the level of a moral imperative. For him all differences are by definition *dis*-honest. Accommodation and compromise equal "sellouts". Any desire to preserve what we have—warts and all—can only be motivated by "greed". Commissioner Johnson's world is peopled wholly by white hats and black hats, and every role is type-cast in advance. I almost envy him the simplicity of his perspective. But I cannot wallow with him in the luxury of his irresponsibility.

And that, I am forced to conclude, *is* the explanation. Commissioner Johnson is preeminently an "irresponsible" in a policymaking milieu where complexities are the order of the day and simplistic answers no longer suffice. He practices the "scorched earth" technique—and, from his viewpoint, why not? Exploitable issues are what interest him, not practical results. He trafficks in bombast, not the undramatic reality of incremental progress. Today his target of opportunity is cable television—and if public comprehension of this emerging but largely untested technology is the necessary sacrifice, so much the worse for public comprehension. There is, as I suggest, a certain grandeur about his simplistic approach to a policy area so crowded with imponderables. But, for a Commissioner with undeniable capabilities and even charismatic powers, what a vast waste!

The Commission's Cable Program

Commissioner Johnson launches his critique of the *Cable Television Report and Order* (adopted February 2, 1972) from an irony, and it's downhill thereafter. The irony, of course, is that he has the sheer brass to accuse the Commission majority of locking the door on cable's entry into the major television markets when it was they—three of whom

[1] For samples of Commissioner Johnson in typical form, see *Rolling Stone*, April 1, 1971; *Penthouse*, February 1972; and Keynote Address, 3rd Annual Conference, International Association of Political Consultants, London, December 14, 1970.

cast their first key cable votes in the proceeding just concluded—who acted to institute a modest thaw and he—as recently as December 1968—who helped perpetuate a virtual freeze. That was the clear effect of past Commission decisions in which he participated, and (at p. 16 of his Opinion) he admits as much.[2]

Like most newly-saved sinners, however, Commissioner Johnson would now move to the opposite extreme. His self-styled "market place" model contemplates unlimited distant signal importation—which, in his projection, would mean about 8-to-15 broadcast signals in the major markets—with little regard to impact on local television service. Commissioner Johnson would, to be sure, throw two bones to local broadcasters. He proposes but never really explains "simultaneous non-duplication" protection for programming being shown on local signals (which would mean just about nothing so far as non-network syndicated material is concerned)[3] and special relief where a local station can demonstrate that cable competition is forcing it to the wall.

But to say "the sky's the limit" and then try later to apply the brakes is a prescription for regulatory disaster. Even in the context of the Commission's market-tailored "adequate service" formula, we must of course be prepared to apply the brakes—and we explicitly reserve the authority to do so where a showing is made that such relief is warranted. But surely it is sound policy to act conservatively from the outset, so that "special cases" rarely arise. And that, as Commissioner Johnson knows perfectly well, is precisely what the Commission has done. With regard to carriage rules, the fundamental rationale of the *Cable Television Report and Order* is to fix the number of signals (local and distant) at the minimum necessary to assure adequate service and get cable moving, while still tying its ultimate development (and success) to the provision of the services that are unique to cable technology—access channels, cablecast originations, and leased channel services.

Again, there is particular irony in Commissioner Johnson's concentration on distant signal importation and his only passing reference (at pp. 8 and 9) to cable's nonbroadcast services. Throughout the recent proceeding, he was an eloquent advocate for cable's unique capabilities—well beyond simply moving broadcast signals around—so much so, in fact, as to threaten cable's viability by loading on the burdens of "free" services. But now Commissioner Johnson is working the other side of the street, the better to chastise his colleagues for giving cable so few additional signals as to lock it out of the major television markets. Whatever else one can say about him, Commissioner Johnson *is* flexible.

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[2] Commissioner Johnson is confused even about what it was he was voting for. He seems to have the 1966 *Second Report* (in which he did not participate) mixed up with the 1968 *Notice* (in which he did). Under the rules in effect from 1966 until March 31, 1972, a cable system may not import a distant signal into a top 100 market without first going through a lengthy hearing (Section 74.1107(a)). Contrary to Commissioner Johnson's impression, this hearing process is automatic, not dependent on a broadcaster's objection. The definitive such hearing was the 1968 *Midwest Television, Inc.* case (13 FCC 2d 478) in which Commissioner Johnson cast the crucial fourth vote to maintain the "freeze" of the *Second Report*.

[3] It is interesting to note that this is a wholly new proposal. Never before, to my recollection, has Commissioner Johnson offered this idea for his colleagues' benefit.

But he is very nearly silent on the issue that has long been at the core of the controversy over cable's future—and that is cable's standing outside the competitive market for television programming. Commissioner Johnson acknowledges (p. 6) that copyright owners "should be compensated for the use of their product by cable systems" but argues that regulations to implement their ownership rights "need not take the form of exclusivity." Rather, they "could simply require the automatic payment of fees to copyright holders."

The question is, *what* regulations? Not this Commission's, to be sure, because we have no power to legislate copyright payments (and Commissioner Johnson agrees on this point). Regulation by the Congress then? But for reasons that I'll turn to in due course, and as Commissioner Johnson knows perfectly well, Congress has been unable to pass cable copyright legislation—and even assuming such legislation were passed, it clearly would take the form of exclusivity protection, not simply compulsory licenses, in the major television markets. The House bill did so (H.R. 2512, 90th Cong.) and so did S. 543 (91st Cong.) and S. 644 (92nd Cong.). There simply is no realistic prospect for the kind of Congressional regulation that Commissioner Johnson banks on—and he knows it.

In that case, how about the courts? But, to the courts, the issue is not one of fashioning an appropriate regulatory approach. The Supreme Court in *Fortnightly* (392 U.S. at 401–402) made it clear that only Congress can do that. The Court's job was to say whether signal carriage by cable is or is not a "performance" within the meaning of the 1909 Copyright Law, and it held that carriage of off-the-air signals (Grade B contour and just beyond), is not. The still open question—in *CBS* v. *TelePrompTer*, S.D.N.Y.— is whether cable carriage of distant signals via microwave comes within the 1909 Law. A difficult question indeed. But my point here is that Commissioner Johnson's "market place" model rests foursquare on the contingency that cable, not CBS, will win the TelePrompTer case. If cable should lose, the model collapses. Even if cable wins, he will not have satisfied his own objective—which is that copyright owners be fairly compensated for the use of their product.

Commissioner Johnson is simply trying to slide past one of the gut issues of the cable controversy: that cable remains an uneasy outsider with respect to the programming market. And only when it is brought within that market, when its right to the use of its basic product is secure and regularized, only then will its future be unclouded. It is this issue that the Federal Communications Commission can neither resolve nor avoid. For this among many reasons, our August 5 Letter of Intent to the Congress was not and is not sufficient unto itself as a way to end the freeze and get cable moving.

The Consensus Agreement

The ultimate answer must finally be found in legislation, as the Supreme Court made clear in *Fortnightly*. But the obstacle to legislation has long been the ability of any or all the contending industries—cable, broadcasting, copyright—to block any particular legislative approach with which they might take issue. Congressional leaders have

repeatedly called on the industries to reach some fair and reasonable accommodation.[4] The Commission has also urged them to compromise their differences and pave the way for legislation, most recently in the August 5 Letter. All these efforts have been unavailing.

After we outlined our regulatory program in the August 5 Letter, it seemed to me that the time was right for another try. Broadcasters were understandably nervous that this program would go into effect and the TelePrompTer case might go against them; cable was equally concerned about the outcome of litigation and the need to put itself on a solid base; and copyright owners were anxious to protect their major source of revenue in the top television markets. Then, too, the Office of Telecommunications Policy had a cable study under way, and all the principals were pressing their viewpoints in that forum. I joined OTP, therefore, in an effort to secure a consensus among the industries that would lead to resolution of the cable/copyright issue, de-escalate the level of violence, and thus greatly serve the public interest. There was no great secret about any of these developments. They were widely reported in the trade press. I would only point out, from my perspective as Chairman of the Commission, the practical difficulties of inviting a seven-member Commission to sit around the bargaining table or to take part in conference calls with the various parties.

It is patent nonsense for Commissioner Johnson to assert that the consensus agreement thus hammered out resulted from the efforts of the "powerful broadcast industry" to force a "sweetheart deal" down this Commission's throat. In fact, if I were to assess the varying degrees with which the principals have decided to accept the agreement—and all of them have some reservations—I would put the copyright owners first, cable second, and broadcasters a very distant third. Surely Commissioner Johnson has read Dr. Frank Stanton's letter of January 4, 1972, and Mr. C. Wrede Petersmeyer's of January 17th—both of which excoriate the Commission's regulatory program *and* the consensus agreement about equally. They both know that, with this agreement, there has been substantial progress toward the peace table (and toward legislation that will put cable on a sound footing). Both know that there is now the promise at least of an end to the warfare. Their motives are perfectly understandable. They fear the unknown. It seems to me that Commissioner Johnson's motives are equally understandable but much less commendable—that the threat of "peace breaking out" robs him of an issue. Significantly, Commissioner Johnson ignores the public interest considerations that are stated in the *Cable Television Report and Order* (pars. 61–67, and particularly 65) as the basis for our decision to implement the agreement. Because they do not fit into his scenario of an all-powerful broadcaster-White House "conspiracy", they simply do not exist for him.

I have already stated that my own motives were to find the basis for a consensus that would be reasonable, fair, and consistent with the public interest. I believe the November agreement meets the test. Using

[4] See, for example, my recent exchange of letters with Senator McClellan, published as Appendix E to the *Cable Television Report and Order.*

the August 5 Letter as a benchmark, there were two modifications in our earlier plan and one major addition—and I want to examine each in turn.

First, there was a change in the "viewing standard" (the test for defining a nearby-market signal as in effect a local signal) from a one percent audience share to a two percent, with respect to independent stations. I cannot believe that Commissioner Johnson or anyone else seriously believes this change undercuts our August 5 proposal. It affects only 11 core cities and 16 signals, and cable's future in the major markets clearly does not turn on such (to use the Commission's own phrase in the *Report and Order*) "variations on a theme". Commissioner Johnson uses the example of Baltimore signals in Washington, D.C. But the fact is, there is no variation at all as to the signals that may be carried in the Baltimore-Washington markets, whether the viewing standard is set at one or two percent.[5]

With respect to leapfrogging (the carriage rules that in general favor closer rather than more distant stations), the August 5 Letter imposed one set of restrictions and the consensus agreement another—both of them reasonable, and both of them a mixture of pluses and minuses from the viewpoint of broadcasters and cable systems. It is important to note that when a distant signal must be blacked out because of exclusivity protection, we have imposed no restriction on point of origin for substitute programming. And this catches Commissioner Johnson in a flat contradiction. He argues, on the one hand, that there will be extensive blackouts (p. 12) and, on the other, he alleges that the leapfrogging requirements are now much more onerous for cable (p. 14). He is right about the first, and dead wrong about the second.

The addition to our August 5 proposal, and the core of the consensus agreement, is the exclusivity protection that will be afforded to nonnetwork programming—protection for local broadcasters against distant stations and, more fundamentally, for the owner's rights to control the use of his product. This does represent a change from August 5, where we recognized the issue but promised merely to study it further. And, in my view, it represents a marked improvement. In the first place, exclusivity *should* be dealt with by the Commission, not left to Congress, because it is a complex area of regulation that will require revision and refinement as we accumulate experience with the effect of our rules. Moreover, it is important—both to cable and to broadcasting—to protect the copyright owner's continued ability to produce programming; and his right to sell "exclusives" in the major television markets is a key consideration in this respect. But after one terse reference to the owner's rights (p. 6), Commissioner Johnson simply drops that component of the public interest equation.

He grudgingly admits that, in the context of the consensus agreement as incorporated in the Commission's exclusivity rules, "cable will be able to make a very modest start in some of the smallest mar-

[5] There would be great variation if cable systems were permitted to carry all signals that could be picked up with an antenna, as Commissioner Johnson suggests (p. 13). But this is a far cry from "rabbit ears" viewability. He unsuccessfully tried out this approach back in May or June.

kets" (p. 11). This is a distortion of the grossest sort. Under our rules, there will now be some chance for cable growth in markets 1–100 for the first time.[6] This will be true even in the top 50 markets where exclusivity is greatest. Eleven of these markets have no independent television service at all. Three imported signals will represent a substantial boost; and, even with run-of-contract protection, there is a good deal of programming available beyond what the three network affiliates have purchased. And there are another 17 of the top 50 markets with only one independent station: here, too, our rules should give cable an opening.

Commissioner Johnson is quite right that cable will have no easy time of it in the very largest of the top markets where there is already a great deal of television service. That is true under the rules just adopted. And it was true under the terms of the August 5 proposal. In markets like New York and Los Angeles, for example, we have always recognized that a few additional television signals may not be enough to sell cable—that its ability to get started in such markets will be largely dependent on the new, nonbroadcast services that are unique to cable, and on its ability to serve select audiences. But what I do not comprehend is how Commissioner Johnson can equate the opening to cable of over two-thirds of the top 100 markets with "a very modest start in some of the smallest markets". He is wrong. He must know it. And he must know, too, that he is distorting reality—complex as it may be—just to grab a few flashy headlines.[7]

Finally, Commissioner Johnson sends up a barrage of procedural objections in his attempt to shoot down the consensus agreement. The principal one—that it was dictated by "fat cat" broadcast interests—is, as I've noted, the purest of fiction. He also asserts (p. 9) that it was forced on the cable industry "who felt threatened by the political power of the broadcasters—once joined by Chairman Burch and the President". I never presume to speak for the President, but for myself this assertion is sheer fabrication. I made it clear to the participants in the negotiations that, absent any agreement, I would propose to go forward on the basis of the August 5 Letter. But I made it equally clear that, in my view, the agreement would markedly serve the public interest and *their* interest because (to say it again) it dealt with the gut issues of exclusivity and copyright, and would facilitate legislation. I don't for a moment doubt that all the parties would have preferred to win all their points and that they did give way on some. Which, after all, is the nature of consensus. But I have no doubt either about their judgment, on balance, that the agreement *did* serve their interests. That is why they entered into it.

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[6] In markets 51–100, contrary to Commissioner Johnson's assertion, there will be at most one-year protection for off-network series; the two years to which he refers applies to feature films. And because many of these series will already have been shown in a particular market, there will be no blackout at all.

He notes (p. 15) that there is no exclusivity afforded in smaller markets and says these were "given" to cable by broadcasters and copyright owners. But in the below top 100 markets—far from being "given" to cable—cable systems are limited to a 3–1 carriage formula.

[7] The extent of his success is plain. *The New York Times* of February 4, 1972, for example, ran its cable story under the two-column head, "New Rules on Cable TV Limit Growth in Cities". (Interestingly, *The Washington Post*—same day, same rules—headlined its story, "FCC Opens the Door to Let Cable TV Into Major Cities".) A further measure of Commissioner Johnson's success in distorting the cable story is the *Times* editorial of February 14, 1972: ". . . and Cable TV".

Commissioner Johnson argues further (pp. 22–24) that we have unconstitutionally delegated our powers to industry and that I, in particular, then rammed external fiat down the Commissioners' throats. Wrong again. Nothing was forced on the Commissioners and—as a full participant in several weeks of deliberation of every nuance of the consensus agreement—Commissioner Johnson knows it. He also knows that he lost. We debated the details of the agreement. We debated the necessity of implementing it in its entirety. We debated its probable impact on the passage of cable/copyright legislation, and the critical importance of such legislation to cable's assured future. We went over every square inch of the ground—and then went over it again. And, in the end, we voted: a majority of the Commissioners explicitly decided that the public interest would be served by the Commission's implementation of the agreement. No conspiracy. No arm-twisting. No secret deals. Just an open debate and an open vote—and, as I've noted, Commissioner Johnson lost.

As one last shot, Commissioner Johnson asserts (pp. 20–21) that we have trampled on the rights of the public to full participation in our processes. But on all the matters addressed in the consensus agreement—exclusivity, leapfrogging, overlapping market signals—the Commission gave full notice of the "subject matter and issues", as required by the Administrative Procedures Act, and full opportunity for public comment. For several years running, we have been inundated with comments, studies, analyses, and projections of probable impact.

But none of these comments gave us a detailed blueprint of cable regulations. That the Commission had to craft for itself, out of the public input and its own experience. The August 5 Letter outlined such a reasonable blueprint. And Commissioner Johnson does not argue that we should have put those proposals out for public comment—far from it (pp. 27–28). I agree. But so too did we have full public comment when we had to consider the details of the November consensus agreement. We had no sudden need for additional comment on such matters as leapfrogging or the viewing standard or even exclusivity. Most important, the fundamental judgment to be made—whether implementation of the agreement would contribute to a resolution of the underlying controversy—was a quasi-legislative policy determination. And here comment would not have helped: this was a judgment for each Commissioner to make, in his own wisdom and conscience.

Epilogue

Perhaps one the premier orators and students of the English language to serve in the United States Senate was Henry Fountain Ashurst of Arizona. I often reread some of his published speeches and am ever amazed at the timeliness of his thoughts and ideas. Let me bring this statement to a close with a paraphrase of a speech given by Senator Ashurst on the floor of the Senate on June 15, 1935:

It is not for me to pass judgment on Commissioner Johnson. He has as much right to pass judgment upon me as I have to appraise him. An attitude of censoriousness is the one attitude this Commission never tolerates and never forgives any of its members, but I will venture the suggestion that if Commissioner Johnson should look into his mirror objectively, as he doubtless will some

day, he will distinctly perceive a man frequently disrespectful of the rights and feelings of others, exalting himself with an unwarranted sense of superiority over those less gifted and less fortunate than himself; a man too often taking undue advantage of his position here; a man of reckless abandon in speech and relentless in his forays upon those who disagree with him.

Concurring Statement of Commissioner Robert T. Bartley

The largest broadcast stations and representatives of the copyright owners have again succeeded in preventing the development of cable in most of the largest markets, thus depriving receiving set owners of the opportunity to subscribe, if they wish, to enjoy clearer reception and additional services.

I am mystified by the willingness of the representatives of the copyright owners to retard the development of an alternative market for their product; however, as the Commission has so often said, copyright protection is a matter for Congress.

It is clear, however, that until there is copyright legislation applicable to cable, the opponents of cable can continue to prevent its growth.

While I view the action here, in large measure, as another freeze in many markets, there is enough thaw around the edges to prove cable's worth in some new markets and demolish the bugaboo that cable will destroy over-the-air, advertiser-supported television.

I place particular reliance upon the Commission's declaration in Paragraph 66 of the Report and Order that it retains regulatory flexibility to shape cable's evolution. Legislation which must follow will only limit the *number* of distant signals to which compulsory copyright licenses apply.[1] In all other respects, the Commission retains full freedom and, indeed, the responsibility to act as future developments warrant.

Accordingly, I concur.

Dissenting Statement of Commissioner Robert E. Lee

There is no disagreement that today's action is of profound importance. For those who support that action, the Commission has started this nation down a road leading to vastly expanded television service for the American public. They see a future in which virtually every home in the country has a choice of 80 or more channels of television service. All this and more, they hope, will be accomplished with little or no adverse effect on the public's existing free broadcast service.

For those who disagree with today's action, who quarrel not with the glittering promise of cable but rather the *means* selected today to achieve that goal, the implications of today's action are equally profound. The otherwise vast potential for development of UHF television, a potential the public has created through the investment of literally millions of dollars in all-channel receivers, is sharply curtailed. That money, which the Congress at this Commission's urging required the public to spend, has in essence been wasted. Both the quality and the quantity of local television broadcast service will be sharply reduced in future years from what it otherwise would be.

[1] Those specified in Sections 76.59, 76.61 and 76.63 of the Rules.

Whether cable TV can supply services of its own (program originations) to make up for this deficiency is conjectural. More importantly, that is a moot question insofar as those who will not have cable TV are concerned. They include the many, perhaps millions, who cannot afford it and those living in sparsely settled areas where we have no reason to believe that nonsubsidized cable will ever develop.

Much of the importance of today's action lies in the change in basic regulatory policy which it reflects. The Commission began regulating cable TV carriage of broadcast signals in 1965 because of a concern that otherwise cable operations would lead to an impairment of broadcast service. The Commission's jurisdiction to regulate CATV was sustained by the Supreme Court precisely because we deemed such regulation to be essential, given our responsibility for the development of broadcast service. *United States* v. *Southwestern Cable Co.*, 392 U.S. 157 (1968). Then the issue was, what is needed in the way of regulation to insure that the public does not suffer a loss in existing or potential broadcast service?

Now the issue is, what must cable be given in the way of opportunities to use broadcast signals in order to grow and prosper, and how much can be given to cable operators without *unduly* or unnecessarily impairing broadcast service to the public. Framing the issue in this new fashion stems from quite dubious premises. Despite the best of intentions and adoption of various regulatory requirements to insure that future cable systems do more than merely retransmit broadcast signals, there remains a very serious question as to whether the path taken by the majority today will lead to the goal that it wishes to reach.

It is most unfortunate that action as important as today's is marred by a serious procedural flaw: The absence of an adequate opportunity for comment from the public on the new rules. The new rules adopted today bear little resemblance to the initial Commission proposals of December 1968 and July 1970 which initiated the proceedings from which this decision stems. The public has never been invited to comment on these new provisions and despite a massive record of written and oral comments much of what is done today can only be described as guesswork. We have, for example, adopted elaborate new rules on program exclusivity requirements in some markets. While there have been references in passing to expanded program exclusivity in Commission notices and certain parties have urged this approach, the vast record is barren of any support for the requirement adopted today that special new program contracts or portions of contracts be prepared by television stations and placed in the public file, or the various requirements as to what such contracts must provide in order for the station to be entitled to exclusivity.

The Report and Order argues that in view of the "consensus agreement" developed through the Office of Telecommunications Policy (OTP) with the cooperation of Chairman Burch, further comment from the public is unnecessary: The compromise must be taken in its entirety or rejected and on that issue the broad consensus among the industries makes it unlikely that further comment would be helpful. This is not persuasive. Many within and without the affected indus-

tries do not accept the compromise and they should be heard. Further, the new rules clearly do not incorporate the consensus agreement in its entirety and parties to the compromise might very well have helpful views on whether the new rules reflect their understanding of the compromise. They too should be heard.

Questions of basic policy and procedure aside, there are a great many troublesome specifics in today's action, which are set out in more detail below. Why, for example, is it necessary or wise to permit unlimited importation of distant signals and unlimited "leapfrogging" among CATV systems located more than 35 miles from a television station and at the same time exempt these CATV systems from the very requirements—extra channel capacity, access channels, and the rest—which are cited as a reason for allowing greater signal importation? Why encourage CATV systems to drop the local news and public affairs programs of distant stations, thereby discouraging those stations from originating that type of programming, when we regard it as the touchstone of local television service? Regretfully, the Report and Order, although lengthy, merely describes these troublesome provisions of the new rules without offering any rational basis for their adoption.

The Profound Change in the Communications Policy

The majority today authorizes widespread distant signal importation not out of any belief that this in and of itself will be of benefit to the public but rather in the hope that this will stimulate cable development which in turn will result in the development of *other* cable services—access channels, special non-program services and so forth—which all of us wish to see come into being. Thus Paragraph 90 states:

> The rationale for permitting at least two additional signals in all major markets is simply this: It appears that two signals not available in the community is the minimum amount of new service needed to attract large amounts of investment capital for the construction of new systems and to open the way for the development of cable's potential.

And in Paragraph 147 in explaining why the access channel and related requirements have been imposed on certain CATVs:

> We focus here on the top 100 markets because we have selected these markets as the recipients of certain benefits in order to stimulate cable growth.

Those "certain benefits" are the use of distant signals in situations where distant signals will not provide the public with any new diversity of programming, and certainly will not provide any additional locally oriented service.

Regretfully the Report and Order does not demonstrate why "certain benefits" are needed. To be sure, we have heard again and again the claim that without distant signals cable operators are unwilling to gamble on the public's buying other cable services in sufficient quantity to justify the necessary investment. While this may have been true yesterday, and may even be true today, it by no means follows that it will always be true or will be true tomorrow. Potential new services will be perfected; less fearful cable operators may come on the scene.

Once a few showed the way, others would undoubtedly follow.[1] Indeed, it might very well be that fostering continued cable TV reliance on distant signals as the primary basis for attracting subscribers will impede rather than enhance the development of other cable services.

The decision to sponsor cable through the authorization to carry distant signals is in its own right a profound change in communications policy. It is also a profound change because it alters prior fundamental Commission policy. In particular we have had since 1962 a clear mandate from the Congress to foster the development of UHF television. The public has been required to purchase more costly receivers containing all-channel tuners. Ironically, while we have just recently strengthened this requirement through new regulations designed to achieve parity of tuning in receivers in interstate commerce after 1974, *today we adopt rules which reduce the possibility of new UHF stations coming on the air and of existing stations being able to make a go of it.*

Because I, too, am most anxious to see cable develop its promised new services, I joined in the July 1970 *Second Further Notice of Proposed Rule Making* and in the August 5, 1971, letter of intent in the hopes that both of these actions would elicit information which would indicate whether or not we could sponsor cable with distant signals without compromising our policy on UHF. The Report and Order approaches this question by briefly mentioning certain expert studies on the likely impact of distant signals on local broadcast service and concluding there is no *certainty* that there will be an intolerable adverse impact. With all due deference, I believe this is an erroneous approach. Since it is cable that seeks the benefit of distant signals it should be up to cable to demonstrate in a convincing fashion that this will not lead to injury to broadcast service. No such showing has been made. The cable industry did not see fit to sponsor any expert study on the matter of impact on broadcast service. The study chiefly relied upon by the Report and Order to indicate there would be little risk of injury is the Rand Study of Dr. Rolla Edward Park. That study suggests that importation of distant signals in markets 51 to 100 would produce an average revenue loss of 23% for local stations; in markets 101 to 150, an average loss of 30%; and in markets 151 to 200, an average loss of 56%. Overall, based on 1968 data, the same study suggests that the number of stations operating in the red would increase from 23% to 57%.[2]

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[1] From time to time leaders in the CATV industry have urged, contrary to the underlying philosophy of today's action, that the cable industry can develop without widespread use of distant signals. For example, an editorial in the May 1971 issue of TV Communications says:

"What if cable *doesn't* get distant signals? Does this mean the industry is washed up—that its chances of expanding into most of the nation's television homes are lost?

"I don't think so. I think there are alternatives.

"And one alternative is for the cable industry to develop its own programming."

"We've been crying all these years for distant programming. But what people will watch is not necessarily *distant* programming, but *more* programming and more *diverse* and perhaps better programming. A CATV co-op could produce or obtain programming at least as good as the country's most successful independents. And unlike the independents, none of it would be programming which has a local interest only in their markets."

[2] R. Park, "Potential Impact of Cable Growth on Television Broadcasting", October, 1970, pp. 5 and 73. The study urges that up to half of overall revenue losses due to losses in local viewing would be recaptured by the revenue benefit of increased viewer exposure as a distant signal. But the study also notes, correctly, that this benefit would be confined to stations in the larger (*e.g.*, top 25) markets. Thus this point is unimportant insofar as stations outside the top 50 markets are concerned.

It is true, as the Report and Order notes, that the Rand Study assumed importation of four distant signals, while the Report and Order generally will authorize importation of only two distant signals. But even the National Cable Television Association in its February 1971 Reply Comments argues that two or even one distant signal would produce much more than 50% or 25% respectively of the audience loss that would occur with four distant signals. Additionally, the Rand Study assumes that a limitation of four distant signals would apply throughout the entire area of the television market. The limitation to two distant signals in the new rules applies only within the 35-mile zones of television markets. However, particularly where smaller television markets are concerned, a very substantial portion of the market is located beyond the 35-mile zone where unlimited number of distant signals can be imported.

Because it concludes that there is no definitive answer on the question of impact, the Report and Order can only express a hope that there will be no adverse impact and a promise to keep a watchful eye and to attempt to take remedial steps if injury does occur.

While no doubt motivated by the best of intentions, this promise of future remedial action is of very little solace to those who are concerned with the quality and quantity of *free* broadcast service. Repeatedly the Commission has stated that it will not and cannot roll back cable operations once lawfully authorized and in operation. Indeed, even in today's decision the Commission takes the extraordinary step of "grandfathering" both for purposes of the number of signals that can be carried and for purposes of an exemption from the new exclusivity requirements not only all lawfully operating CATVs but also in some cases CATVs which have taken absolutely no step toward construction or operation but have simply filed a letter with the Commission listing the signals they desire to carry pursuant to old Section 74.1105. See Report and Order, footnote 58. *Relief after the fact of injury* which stopped short of a rollback (such as a restriction on further expansion) *would do nothing to relieve the injury that had already occurred.* The only other possibility is special relief before CATV importation commences. This is technically available, but Paragraphs 91 and 112–113 as a practical matter all but preclude this remedy.

Procedural Flaw

I strongly believe that in a matter of this fundamental importance it behooves the Commission to go out of its way to insure that all parties have an adequate opportunity to be heard on all the pertinent issues and sub-issues. Many of the matters dealt with in this Report and Order in one or two sentences or even a footnote could by themselves be the subject of a separate rule making procedure and normally would be. For example, among many other things, the majority today significantly expands the material which must be contained in a station's public file and imposes logging requirements on certain CATV systems; both are treated as details relating to implementation of the new exclusivity rules. Usually each of these items would be the subject of separate rule making proceedings. Here, however, the public has had no notice of our intention to adopt these requirements, although the logging matter came up in connection with the reporting requirements

not long ago in the *Third Report and Order* in this docket. Are these requirements sound? Are they necessary to implement program exclusivity rules? Are there some more effective and less onerous ways of implementing those rules and assuring that parties live by them? These are questions on which interested parties ought to be heard—not merely out of fairness to them, but to insure that we have adopted the best possible means for insuring compliance with the rules.

It is argued that prior passing references to program exclusivity in our *Notices* plus comments urging such rules are, from a strictly legal standpoint, legally adequate notice within the meaning of the Administrative Procedure Act and that in any event a decision on this matter is long overdue. Whatever may be the legal requirements under the APA, I deeply regret that the Commission has not seen fit to exercise its sound discretion to obtain further comments. By establishing reasonably short deadlines such as 30 days for comments and 20 days for reply comments there would only be a short additional delay that could very well pay handsome dividends by giving us an opportunity to correct mistakes that will be very difficult to correct at a later date.

The opportunity to file petitions for reconsideration does not negate the need for further comments any more than it negates the need for comments initially in any rule making proceeding. The presumption is always against the granting of a petition for reconsideration, particularly when there is an effective date for the rules barely seven weeks away, and there are many aspects of the new rules as to which no presumption one way or the other is justifiable on the present record. While we have heard informally since the August 5th letter from *some* interested parties on the various issues before us, this is not an adequate or fair opportunity for *all* interested persons to express their views, particularly when vital elements of the new rules have not previously been made available to the public.

The "Consensus Agreement"

The Report and Order states that adoption of the suggestions contained in the OTP compromise or consensus agreement does not justify further comment because the only issue is whether to adopt those suggestions in their entirety and on that issue, in view of the broad consensus on the compromise, further comment seems unnecessary. With all due respect, this merely clouds the issue. The public and substantial numbers of interested parties did not participate in the compromise and several of these elements, CBS, Corinthian Broadcasting Company, the Rocky Mountain Broadcasters Association and others, have already voiced informally and in writing objections to it. Public broadcasters have not been heard. The rules that purport to implement the compromise exclude ETV stations from any right to exclusivity on syndicated programs. This surely was not required by the compromise, which does not specifically mention ETV, and it is a point in which ETV representatives should be given a chance to express their views.

On the cable side, we have heard only from NCTA. It reportedly represents somewhat *less* than half the existing CATV systems, with

most non-members being operators of smaller systems. See *CATV* magazine, p. 11, January 10, 1972.

On the copyright-exclusivity issues, the group of copyright owners that approved the compromise does *not* represent BMI, ASCAP and several others that have important interests in this area.

All of these groups and certainly disinterested members of the public should be heard. But the only way they will all know they can be heard is for the Commission to invite comments.

Furthermore, the parties that did accept the compromise should be given an adequate opportunity to express their views both on *whether or not the new rules reflect their understanding of the compromise and on the desirability of other new aspects of the rules* (*e.g., the procedures on program exclusivity*) *which have been adopted in light of the compromise.* While the Report and Order states that the compromise is being and must be adopted in its entirety, the fact is that there is at least one clear divergence in the rules from the compromise and several other areas where the intent of the compromise has not been followed. The compromise specifically called for a rule on CATV carriage of radio stations; instead of adopting such a rule, this is being made the subject of a separate rule making proceeding. That may very well be the best approach, but it is also a clear divergence from the agreement.[3] As for divergence from the intent of the compromise, as the Report and Order notes, the intent of the parties apparently was that one or two distant stations as the case may be had to be carried full time without substitution of programs from other distant stations *except* when the exclusivity rules created gaps in the schedule of the regularly carried distant station. The new rules, however, deviate most substantially from this in two important respects. Further, the new rules reflect several important changes from the August 5th letter of intent. In some cases these are said to be justified by the compromise. In other cases this is not the case at all. In every case the denial of an opportunity for further comment deeply troubles me as a most unwise exercise of agency discretion.

Personally, while an arms-length settlement of differences is quite appealing as a general matter, many aspects of the "consensus agreement" as detailed below are quite troublesome. These are outlined below. Since many parties and the public do not accept the compromise or were not invited to join in it, and since the parties that did accept it did so most reluctantly on a take-it-or-leave-it basis, the lack of an opportunity for further comment is most regrettable, unfair and perhaps in violation of the legal requirements of the Administrative Procedure Act.

Troublesome Particulars of the New Rules

The new rules are troublesome and deeply concern me in a number of particulars. For purposes of brevity, only the most troublesome features will be described briefly.

[3] Another clear divergence which is very difficult to justify appears to be in the area of grandfathering. The compromise calls for grandfather rights for *existing* systems. The rules, as noted above, go much further by also giving grandfather status to yet unborn CATVs that technically can claim an authorization to carry certain signals not available under the new rules.

A. SIGNAL CARRIAGE RULES FOR THE SMALLEST TELEVISION MARKET

The new rules give short shrift to the quite persuasive showings on behalf of broadcasters in the very smallest markets, including but not limited to the Rocky Mountain area, that their service to the public is about to be seriously impaired. We have persuasive evidence that in the smallest television markets a very large proportion, and indeed in some cases more than one half, of all local revenues are attributable to communities outside the 35-mile zones. Yet the new rules permit completely unlimited distant signal importation in such communities.

While stations in the larger markets on the whole gain additional exclusivity rights, as compared with the prior rules, stations in the smallest markets end up with less exclusivity. The cutback from same-day nonduplication protection to simultaneous nonduplication protection is likely to hurt not only stations in the Mountain Time zone which are forced to delay network programs, but also many other stations in the smallest markets. For a variety of reasons these stations often cannot broadcast network programs simultaneously with the network feed.

For the smallest markets the Report and Order simply (1) promises to grant special relief if compelling showings are made and (2) requires carriage and very limited nonduplication beyond the Grade B contour in a few cases. For the reasons stated above, the opportunity to seek special relief does not appear to be promising. This is particularly so for a station in a very small market that typically would be unable to afford the expenses associated with a costly administrative proceeding. Requiring carriage of the non-Grade B signals of these smaller market stations where those signals are "significantly viewed," and creating a right to nonduplication as to *new systems* in these areas, hardly answers the problem. In most cases where the new mandatory carriage rule would be applicable the CATV systems are probably already carrying the signal. If they are not already carrying the signal because of reception difficulties, the Report and Order invites a cable request for waiver of the new mandatory carriage rule. Since in many cases systems in these outlying areas will often already have been built, the new quite limited right to nonduplication will have very limited practical benefit.

A special problem relating to both the smallest and medium (51 to 100) sized markets involves CATV systems located within the zones of both a larger and a smaller market. The new rules in every case of this type allow the CATV to follow the more permissive rule on the number of distant signals. This deprives the smaller market station of the protection which it was to receive under the 3+1 or 3+2 rule applicable to its market. To redress this at least partially it would seem appropriate in such cases to give the smaller market the greater exclusivity rights applicable in the larger market. After all, why should the cable operator have it both ways? The Report and Order, however, declines to do this, saying the problem arises very rarely. But a quick review of the *1972 CATV Atlas* indicates there are at least 10 smaller markets where this will be a serious matter because the smaller market's zone is substantially overlapped by the zone of a larger market.

B. SIGNAL CARRIAGE RULES FOR MEDIUM SIZED MARKETS

Under the new rules the same number of distant signals will be imported into the New York City market, ranked number 1 and having some 5 million television homes, as will be imported into the Columbia, South Carolina market, ranked number 100 and having roughly 125,000 TV homes. The New York City stations receive full "run-of-contract" program exclusivity for their syndicated programs. The Columbia stations receive very limited program exclusivity. Surely a Columbia station and every other station in the 51 to 100 group has just as compelling a case to make for exclusivity protection as a New York City station or any other station in the 1 to 50 group.

The August 5th letter singled out 12 markets for special treatment limiting the number of distant signals that otherwise would be imported. These markets were selected either because they would have received so many overlapping signals under the viewing test or because they were markets in the 51 to 100 group that had a local UHF independent station that would be especially vulnerable to injury from imported signals. The Report and Order rejects this element of the August 5th proposals, stating that there is no need to single out these markets for special treatment since under the consensus agreement these markets have gained additional program exclusivity rights. This is most difficult to understand since (1) the new exclusivity rights are inapplicable insofar as signals carried under the viewing test are concerned and (2) in markets 51 to 100 the new exclusivity is extremely limited and so will be of very limited benefit to the highly vulnerable UHF independents. Moreover, we have had no indication that the compromise was in any way intended or understood by the parties accepting it to eliminate the special relief contemplated by the August 5th letter in these particular markets.

C. SOURCE AND MANNER OF CARRYING DISTANT SIGNALS

The August 5th letter would have required that at least one of the two imported signals in markets 1 to 100 be a UHF independent. That requirement has been omitted, presumably because of the compromise, with the result that in at least some markets it is highly probable that both of the imported signals will be VHF independents. This means that, to the extent distant signal carriage is of benefit to the distant station, the struggling UHF stations having the greatest need for that benefit are being deprived of it.

We proposed "leapfrogging" requirements in December 1968 because of concern that cable systems would concentrate on the big city "glamour" stations in the very largest and most distant markets. This would lessen the probability of imported programming being attuned to the local needs and interests and raise issues of concentration of control. While the Commission has adopted a much more permissive leapfrogging requirement than was originally proposed, it has also eliminated any leapfrogging requirement for CATV systems beyond the 35-mile zones. Thus, Los Angeles stations *could* be carried in Westerley, Rhode Island (some 36 miles from Providence) and every other

community across the country that is also beyond the 35-mile zone and New York City stations can be carried in Provo, Utah (36 plus miles from Salt Lake), Long View, Washington, and numbers of other communities. The lack of programming attuned to local interests and the problem of concentration of control are no less serious in such communities than they are within the 35-mile zones.

Regarding the manner of distant signal carriage, the new rules permit substitution of other distant signals when, due to the program exclusivity requirements, the programs of the regularly carried distant signals have to be deleted. Although this was contemplated by the compromise, the new rules go beyond what was contemplated in the compromise [at least as the compromise is described in paragraph 62 (iii) of the Report and Order]. Local news and local public affairs programs broadcast by the distant station may be omitted even though their deletion is not required by the exclusivity rules, and entertainment programs substituted from other distant signals. Thus if Channel 5, Washington, is carried as a distant signal in Richmond, Channel 5's 10 o'clock news program may be deleted by the CATV system and an entertainment program from New York or even Los Angeles could be substituted.

This is most undesirable on several accounts. It discourages Channel 5 from broadcasting local news and public affairs programs, indeed it *penalizes* Channel 5 for doing this, at least to the extent the station benefits from being carried as a distant signal. It eliminates programming that *may* be of interest to local cable subscribers even though it is from a distant signal. The Channel 5 news program, for example, does deal with Virginia and area affairs. Indeed, the possibility that the nearest distant signal may have programming of interest to local subscribers is one of the very purposes of the leapfrogging rule. Finally, the opportunity to delete local news and substitute entertainment programs may turn out to be extremely troublesome to cable system operators who may find themselves caught in the middle between subscribers who want the news and subscribers who want something else.

The rules also provide that a program of any length may be substituted and carried to completion even though it spills over into programs on a regularly carried signal that need not nor should be deleted. Continuing with the example above, if Channel 5 broadcasts a half-hour program which must be deleted in Richmond under the exclusivity requirements the CATV is free to bring in anything from a two-hour motion picture from New York to a three-hour sports event from Los Angeles. Since cable systems are free to pick from any station in the country in order to find substitute programming, it would not seem unduly burdensome to require them to pick programming that conforms in running time to the programming that has to be deleted.

D. THE OVERLAPPING SIGNAL PROBLEM

As any fair reading of the August 5th letter will indicate, the proposal for this problem *was* that the basic structure of the December 1968 proposals would be adopted, subject only to a modification based

on the substantial viewing test principle and changes extending that structure to major market—smaller market overlap situations. That basic structure was that in communities within the 35-mile zones, *Grade B signals* from other markets would be treated as distant signals, unless the community was also within the 35-mile zones of the second market. This basic structure had no application where non-Grade B signals were concerned. The new rules, however, incorporate several novel and troublesome features some of which embody substantial deviations from the August 5th proposals.

First, the viewing test now applies to non-Grade B signals even though these had always been regarded previously as distant signals. Second, the countrywide viewing figures are made conclusive as to all communities within a county whenever they show that the viewing test is met (but they are *not* in the converse situation). Third, broadcasters, but not CATV operators, are precluded from introducing special data or surveys contradicting the American Research Bureau data relied on by the Commission. Fourth, the procedures and criteria for special showings are spelled out in some detail.

The result of the first three of these changes is that there may very well be cases in which a signal is not significantly viewed within the meaning of the rules in a particular community and indeed does not provide a predicted signal to that community but parties wishing to demonstrate this are precluded from doing so. Parties wishing to add signals in the converse situation, however, will be free to submit special surveys after March 31, 1973. Paragraph 85 of the Report and Order argues that this "you-can-but-he-can't" approach is sound because otherwise broadcasters would delay CATV development by attempting special showings "in virtually every case." I believe that the Commission could find satisfactory means of dealing with such a problem, if it were to occur, short of creating an unfortunate appearance of being one-sided on this matter. Whether or not the criteria for special surveys are meaningful is a subject which, again most regrettably, the Commission has not seen fit to solicit comments.

The compromise has led to a change in the viewing test raising the audience share figure for independent stations from 1% to 2%. While there is support in the record for the adoption of some viewing test, there is very little if any support for the precise figures adopted. Is 2% "substantial?" On its face it would not seem to be. This again is an issue upon which further comment would have been most helpful.

E. THE SYNDICATED PROGRAM EXCLUSIVITY RULES

In addition to the troublesome discrimination against medium sized stations noted above, there are several troublesome features to these rules. Why, for example, are there elaborate requirements spelling out what the station's program contract must include on the subject of exclusive rights? Was this what the parties intended? And further, why must contract provisions routinely be made available for public inspection? What evidence is there that without this requirement broadcast licensees will abuse the privilege accorded them and attempt to deceive CATV system operators on this subject? In any event, must

the notification procedures be as cumbersome as they appear to be in the rules? Again, these are questions on which further comments might have shed light.

F. THE ACCESS CHANNEL AND FEDERAL-STATE RELATIONSHIP RULES

As the Report and Order quite candidly points out, in this area the Commission is plowing very new ground. There are repeated concessions that these rules may not work or will otherwise have to be changed once some experience is gained. I share this concern. It may turn out, for example, *that these rules are too harsh on CATV*, at least at this stage of its development. The proposals set forth in December 1968 out of which these new rules derive were similarly of a very general nature. Because this is such a new area and because it is conceded that the Commission is unsure of what it is doing, further comment certainly would have been appropriate.

Moreover, by clearly *requiring* substantial investment in a new business unrelated to the traditional operation of CATV, these new rules are of dubious legality in light of *Midwest Video* v. *FCC*, 441 F.2d 1322 (8th Cir. 1971), *cert. granted*, No. 71–506. Earlier, operation of rules requiring program origination was suspended pending the outcome of *Midwest Video* in the Supreme Court. The same procedure would certainly have been in order here.

Conclusion

I recommend that the Commission reconsider its decision of today and take such appropriate action to remedy the problems that I have outlined in my statement. Such remedial action will permit all segments of the communications industry to work and prosper together as they serve the public—rural and urban America.

Opinion of Commissioner Nicholas Johnson, Concurring in Part and Dissenting in Part

FOREWORD

On Thursday, February 3, 1972, I issued a preliminary opinion in this matter. The text of that opinion follows:

The much-heralded new dawn for cable turns out to be a cold and smog-filled day.

The White House interference in the process makes a mockery of the FCC's independence and role as an arm of Congress.

The Commission's about-face accommodation of the desires of the largest broadcasters, cable companies and copyright interests—*after* long hearings and the declaration of its August 5th policy as in the "public interest"—makes a shambles of the spirit of the Administrative Procedure Act. This failing is so severe that even issuing this document as a proposed rulemaking for public comment would not cure it.

For FCC Chairman Burch to engage in secret bargaining sessions designed to bind his fellow Commissioners to policies in which they have had *no* participation is an affront to a multi-man Commission.

The hurried issuance of today's document means that few of the full opinions of the six Commissioners will be available, and the only people to get copies of the document for a matter of days will be a few favored Congressmen, lobbyists, trade magazines and press. The use of the Federal Register will take a week, and may also preclude publication of separate statements.

The substance is little better than the procedure. It is not true, as the majority states, that the compromise "does not disurb the basic structure of our August 5 plan." Unlike the August 5th rules, at least 40% of the American people, those who live in the largest cities, will now not get cable. This serves no one's interests—save the most powerful broadcasters and program owners who now get their way. The multi-million-dollar big city corporate owners, whose "National Association of Broadcasters" exacted the added protectionism for them, don't need it. Small broadcasters may—but don't get it. If cable is to grow, it must be in the big cities—where it's precluded. If the potential need and demand for leased channels, public access channels, and minority programming are to be served it must be in the big cities. It won't be.

The limitations on what even small-town cable can carry are ridiculous. With all its capacity to bring the American people dozens of signals from thousands of miles, the FCC rules won't even let cable systems carry some signals that its subscribers can pick up off the air with rabbit ears! There are severe limitations on the cities from which signals can be imported. An elaborate, almost unintelligible section (inserted by the richest program owners *after* the August 5th policy excluded it) prohibits the showing of the programs most desired by the public. The FCC agrees, moreover, to tie its hands and never make future changes in part of this arrangement.

A fuller opinion will follow.

Now, two working days later, the fuller opinion promised has been prepared, and follows.

INTRODUCTION

In future years, when students of law or government wish to study the decision making process at its worst, when they look for examples of industry domination of government, when they look for Presidential interference in the operation of an agency responsible to Congress, they will look to the FCC handling of the never-ending saga of cable television as a classic case study. It is unfortunate, if not fatal, that the decision must be described in these terms, for of the national communications policy questions before us, none is more important to the country's future than cable television.

The Commission has promulgated rules for cable television which are designed to introduce, in a conservative fashion, the benefits of cable to some of the people of this country. To the extent they will, to some extent, achieve that purpose, I concur with the majority. Because they are substantially different from the rules I would have preferred to adopt, and because the Commission arrived at those rules through a process I find wholly inconsistent with the spirit of the

Administrative Procedure Act, the concept of independent regulatory agencies, and possibly the due process clause of the Fifth Amendment, I am compelled to dissent in part, as well.

I. Cable Development: a Model

Unencumbered by political and vested economic pressures, cable television would develop like any new technology—in the market place. Systems would be built in markets in which consumer demand made building profitable. These systems would import distant signals to the extent of market demand. One could expect that after providing all markets with affiliates of the three national commercial networks, local independents and public broadcasting stations, perhaps two to five independent stations from various parts of the country, regional networks or some additional out of market non-commercial stations, cable systems would have little incentive to import more signals. Indeed, a system would probably be commercially more attractive if it provided additional channels with nonbroadcast ("cablecasting") services rather than additional channels of commercial television. In any event, the market—the cost of importing additional signals compared with the additional income they would provide the cable entrepreneur—would seek its own level. And, I would guess, that level would be somewhere between eight to fifteen signals, depending upon the region of the country involved.

I would impose limited regulations on this basic marketplace system. I would require all systems in the larger cities to have a minimum capacity of 40 channels, half of which would be dedicated to other than over-the-air broadcast services. Of the one half of the channels reserved for purposes other than over-the-air broadcast signals, at least one would be dedicated to state and local government use, one would be dedicated to educational use, one would be dedicated to the public use (all on a first come-first serve basis, free of charge), and the others would be leased to all comers at fixed rates. Systems would be required to expand channel capacity in accordance with demand, in the manner set out in the August 5 letter and these rules.

Because a national cable network could develop under this system, some protection would have to be afforded the public as well as the systems from anti-competitive agreements between microwave systems and "overzealous" independents. To this end microwave systems could be required to offer all independent signals along their routes to cable systems, to prevent the aggressive independent from using anticompetitive methods to achieve the network result.

The over-the-air broadcast system as we know it is an important element of our society and is entitled to some protection. No one wants massive numbers of over-the-air stations suddenly to go bankrupt and leave the air because of cable. Cable is currently almost wholly dependent upon over-the-air stations for its programming; there are many homeowners who can't or won't have cable; and the continued competition and choice for the viewer between cable and over-the-air signals is his only ultimate protection against cable abuses. The question is only *how much* protectionism is warranted and necessary at a time when *no* station has yet gone off the air because of cable.

I would provide, for starters, only that no cable system could simultaneously duplicate a local station's program with that of an imported station. Then, if a local station could demonstrate that (1) it is deteriorating substantially (*i.e.*, a steady decline of gross revenue), and (2) that such deterioration is a result of the existence of cable television in its market, special relief could then be made available. If the problem became widespread, new general protection could be fashioned at that time.

I would regulate to prevent further concentration of control of the mass media. Our rules prevent cross ownership of broadcast stations and cable systems in the same market, and common ownership of national networks and cable systems. I would also consider rules prohibiting any single company from owning more than one cable system in the top 50 markets, and any single system from reaching more than one percent of the country's television households. I would consider prohibiting cross-ownership of newspapers and cable television in the same market.

As a matter of principle, I believe copyright holders should be compensated for the use of their products by cable systems. But regulations implementing that right need not take the form of exclusivity (prohibiting a cable system from carrying the program at all), as they do in these rules. Regulations could simply require the automatic payment of fees to the copyright holders, through a mechanism similar to that used by ASCAP for song writers. However, I am not convinced that the FCC is the appropriate forum in which such decisions should be made—any more than the FCC should attempt to legislate minimum wage legislation for cable systems, or zoning restrictions. As I discuss more fully later in this opinion, the *CBS* v. *Tele-Prompter* suit may clarify the copyright situation beyond the *Fortnightly* set of facts. *Fortnightly Corporation* v. *United Artists*, 392 U.S. 390 (1968). In any event, I would expect either the courts or Congress to adjust the interests of the competing parties—not the FCC—as the Commission indicated it believed on August 5.

Finally, I would support regulations limiting subscriber charges, lease prices for leased channels, and rates charged by utilities for the use of their poles.

The model I have outlined ought to have the support of most people of independent mind—"free entrepreneurs" and "regulators" alike. It serves the "public interest" and is wholly consistent with the profit motive. The problem, of course, is that it does not have the support of the most powerful broadcasters—a group whose political influence is unrivaled in our time.

The rules we adopt today vary from this model; in some cases they are quite similar, while in others they are based on a wholly different philosophical premise. But a persistent current, running throughout the rules, is an absence of adequate rationale, satisfactory justifications for departures from this model.

II. August 5, 1971 and Its Aftermath

On August 5, 1971, the Commission, in a 6 to 1 decision, transmitted to Congress a "letter of intent," outlining its proposed rules for cable

television. These rules were the result of exhaustive public hearings at which all positions were aired. The result reached was a far cry from the free enterprise model described above; it was itself a compromise, intended to adjust and protect various economic interests, and to accommodate "political realities." But it was a compromise we agreed was feasable, and one under which cable could at least get started.

Subsequent to our adoption of the August 5 letter, apparently not satisfied with the concessions made to each of them, broadcasters and copyright owners, with the support and encouragement of the White House and Chairman Burch (and the participation of cable interests), carved up the cable pie in a manner more to their liking. In its rules the Commission puts its stamp of approval on the results of these closed door sessions by implementing the precise terms of the industry's agreement.

The new rules graphically demonstrate what economic protectionism can do to a sound regulatory scheme. In our August 5 letter of intent, we recognized that the big city markets, more than the others, needed both the additional entertainment programming and the nonbroadcast benefits of cable television. Thus, while we held back cable development in the big cities in some respects (for example, only three independents' signals were permitted), we provided sufficient benefits to stimulate its beginning. The regulatory scheme permitted cable systems in the top 50 markets to distribute, as a minimum, three network stations and three independent stations. Systems in the second 50 markets were permitted three network and two independent stations. Those systems in markets below the top 100 were permitted three network affiliates and one independent station. And systems in cities without any television stations were permitted an unlimited number of independents. (All systems could also carry non-commercial and foreign language television stations, and radio signals.)

We never felt that cable's future was tied to distant broadcast signals; if that were all that was involved, it is doubtful that we would have spent one-tenth the effort we have expended. With this scheme, we hoped that systems in the larger markets, where diversity of interests most required the nonbroadcast advantages of cable—such as access, leased channels for community groups, and educational channels—would have sufficient attractiveness to subscribers so as to provide the economic base necessary for the development of these services.

Markets 51 to 100 were given fewer distant signals on the theory that the over-the-air stations there had less in the way of both revenue and audience to support much imported competition. Systems in the smallest cities, those located more than 35 miles from any television station, were to be permitted unlimited distant signals on the theory that, barring any rationale for station protectionism, there was no reason not to revert to the model of unlimited signal importation.

This was the state of affairs on August 5, 1971. Thereafter, the vested economic interests—broadcasters (who felt threatened by this new technological competitor), copyright holders (who were afraid cable systems would diminish the value of their products), and the cable industry (who felt threatened by the political power of the

broadcasters—once joined by Chairman Burch and the President—to stop our August 5 policy entirely in Congress)—met with the representatives of the White House and with FCC Chairman Burch and finally agreed to the compromise that the majority refers to as the "consensus agreement."

The compromise carved up the action among the three industries, at the expense of the viewing public, by making three changes in the policy we announced on August 5. Despite the majority's assurances that its "incorporation into our new rules for cable does not disturb the basic structure of our August 5 plan," the compromise was, of course, designed to disturb the basic structure and succeeded in doing so.

III. Policy and Protectionism

The compromise and the rules promulgated by the Commission are a far cry from the free enterprise model of cable television. They are a patchwork of protectionism, designed to foster the interests of vested economic institutions at the expense of the public. Admittedly, under these rules cable will be able to make a very modest start in some of the smallest markets. It will not, however, grow with the speed and the impact it would have under less restrictive rules. The major failings of the compromise and the rules, as I see them, involve the exclusivity protection, the viewing standard, and leapfrogging.

Exclusivity protection. The rules provide for "run of the contract exclusivity" to stations in the top 50 markets, and two year exclusivity to stations in markets 51–100. That is, a program supplier can sell, and a station can buy, an "exclusive" right to a given program, and gain thereby the legally enforceable right to keep any other station in the market from showing it. Now, says the FCC, the station can use that "exclusivity" to keep a cable system from importing that program from an out-of-market station as well. In other words, if a station in one of these markets has a contractual right to show David Frost or The Pawnbroker, no cable system in that market can import it from another city. Thus, although top 100 market systems are "permitted" to import distant signals, these signals will have to be blacked out whenever they carry programs covered under exclusive contracts. One of the principal services offered by cable—not just different programming, but alternative schedules for the same programming—is hereby simply wiped out. Further, programs or films subject to local "exclusivity" may not be imported by cable even though the local station may not show them for years.

Translated into concrete examples, based on current programming and currently existing contractual arrangements, a cable system in Charlotte, North Carolina, the forty-second market, would have to black out over 16 hours a day of programming from WTCG–TV, Atlanta, Georgia, if it chose to import that station. A system in Fort Wayne, Indiana, the eighty-second ranking market, would have to black out WGN–TV, Chicago, should it choose to import it, for over eight hours daily. Obviously, we can expect to find a rush to exclusive contracts in the future to permit local stations to take advantage of this FCC-sanctioned anti-competitive device.

Viewing standard. Television signals can often be picked up off the air from 60 to 100 miles distance in proper terrain with a good antenna. The advantage of cable is that it can bring subscribers *more* signals than they can get off the air. That's because the cable system has a taller, more powerful receiving antenna than most homeowners, and because it can relay signals by microwave over long distances (the same way the networks relay their signals from New York around the country to affiliates). Even with a little "rabbit ears" antenna, however, I can, for example, pick up Baltimore signals on my home receiver in Washington. One would assume, therefore, that cable systems would be permitted by the FCC to provide their subscribers *at least* what the subscribers can already pick up off the air. Right? Wrong. The rules contain a unique concept known as the "viewing standard." Cable systems in all cities with television stations are required to carry all stations licensed to cities within a 35 mile circle around them. That's no problem; most cable systems would want to do that anyway.

The problem comes in defining what additional signals the cable may carry as, in effect, "local signals"—that is, signals that will not count as "distant" imported signals. I would define that as "viewable" signals, whether technically defined as "predicted Grade B," actual Grade B, or most pragmatically, what the cable operator can, in fact, pick up with his antenna. In my case, for example, those Baltimore signals would be considered "viewable," even though, in fact, one would generally watch the Washington signals whenever the same network program is being shown by both. (By contrast, the same network's news may be shown at different times in Washington and Baltimore, and being able to watch both cities' signals thereby increases the number of networks' news shows that may be watched.) This is decidedly not the FCC/industry "viewing standard." Its standard is not whether the station can be watched, but whether it is, in fact, watched. Such an inquiry is, of course, directed solely at protection of the local station's market revenues, not to the technological capabilities of cable. The details of "share" and "net weekly circulation" are spelled out in the majority's document and are not necessary to our discussion. It's sufficient to note that the August 5 policy was that any station actually viewed by 1% of the local homes could be carried and that the "compromise" raises that to 2%—and thereby cuts in about half the number of stations that may be carried. (For example, none of those Baltimore signals I can now watch could be carried by a Washington cable system.)

Leapfrogging. The rules provide for the importation of a limited number of distant signals. However, although technologically capable of bringing in distant signals from anywhere in the country, if a cable system wants to bring in a signal from a city in one of the top 25 markets—obviously, the most desirable stations—it must reach out only to the *closest* two top 25 cities. Only when forced to black out one or both of those signals can a system go nationwide for programming. That is, it may not "leapfrog" closer stations in order to reach out for more distant (and desirable) stations.

The net result of this compromise—exclusivity, viewing standard, and leapfrogging—is to reverse the priorities we established in August. The exclusivity provisions in the top 50 markets were designed to protect the copyright holders, who derive over 80% of their profits from sales to stations in the top 50 markets. Under these provisions, virtually all attractive programming will be unavailable to cable systems during terms of contracts that theoretically can exist forever. (The Commission promises to study the question of the length of exclusive contracts, but bare promises are a far cry from operating rules. And even if the Commission were to someday limit contracts, say, to five years, a term of this length will in many cases make the program highly unattractive.) This resulting lack of available programming will doom cable in the top 50 markets. It will literally have nothing to sell.

The exclusivity provisions in markets 51 to 100 are designed to protect broadcasters. The copyright holders don't really care about these markets, as they earn less than 20% of their revenues there. The broadcasters, vicariously protected in the top 50 markets by the interests of the copyright holders, managed to negotiate two year exclusivity in the remaining markets. Thus, cable systems will not be able to show popular programs until two years after they are available to broadcasters. Granted, cable may still begin, but its attractiveness will be limited.

There is no exclusivity in the small markets and nonmarket areas. These were the cities "given" to the cable industry by broadcasters and copyright holders.

The compromise agreement not only makes little sense from a sound regulatory point of view, it's not even very sensible selfish protectionism. While, on the one hand, our August 5 plan expressly provided benefits to the big city systems by permitting them to import some signals, the compromise burdens these systems by imposing prohibitive exclusivity, viewing standard, and leapfrogging requirements.

There may be some truth to the argument that television stations in small markets can be injured economically through audience fragmentation when even one additional competitive station comes to town via cable. But it should be clear that stations in the major markets, already competing with large numbers of other television stations and other entertainment and news outlets, are less likely to be injured by an additional station or two. Yet it is in these major markets where the regulations inhibit cable, and the smaller ones where cable is free to develop. This result can only be explained in terms of the sheer political power that the history of the compromise represents.

IV. History and Failings of the "Consensus Agreement"

It is impossible to have a full understanding of the significance of the Commission's adoption of the consensus without first fully exploring the background of both the consensus and the rules.

In 1968, we imposed what amounted to a freeze on cable television development in the major cities—even though never denominated as such. We adopted procedures that we said would enhance the growth of cable, and which I believed would actually work. Under these

procedures, no cable system in a top 100 market would be permitted to import distant signals unless it received retransmission consent from that station. This never worked.

The battle lines reformed around the issue of distant signals. Most broadcasters were perfectly happy to permit passive cable systems—systems which only transmitted local signals. Some broadcasters and copyright holders argued that even these passive systems should be required to pay copyright fees for local programs that showed on their systems. The Supreme Court rejected this argument in *Fortnightly Corporation* v. *United Artists*, 392 U.S. 390 (1968).

This did not, however, necessarily settle the question of a system's authority to carry distant signals without paying copyright. *Fortnightly* was read narrowly by the FCC and limited to its facts: that is, no copyright fee would be required for the showing on cable systems of local *stations*, but the question of distant signals remained unsettled.

The parties refused to budge. Broadcasters and copyright holders threatened to block any cable rules that permitted the importation of distant signals until copyright legislation was adopted—by exerting their impressive political influence in Congress, forcing Congressional hearings. Cable owners refused to support copyright legislation until the cable rules were adopted. The Senate Copyright Subcommittee refused to pass a copyright revision until the question of cable was settled, and it refused to enact a separate copyright law for cable. The process ground to a halt.

Finally, the Commission, after months of thorough study, acting precisely as one would hope a quasi-legislative body should act, promulgated its August 5 letter. For one of the few times in my tenure as an FCC Commissioner, I was able to join with a near-unanimous majority on a major issue of communications policy.

Unfortunately, our historic example was not to be. Three months later, the industries had used their White House leverage to fashion their own cable policy, and the consensus agreement was born.

The implications of the Commission's decision to adopt the compromise are as serious a threat to the democratic system of government as any we have witnessed in almost 200 years of our history. While the majority goes to great lengths to describe how our accepting the compromise was really in the public interest because it facilitated the promulgation of these rules and the passage of copyright legislation, it utterly fails to take into consideration the threat to the public interest posed by setting the precedent of deferring to big business whenever it possesses the power to impede the development of a regulatory scheme (or legislation or an executive decision). We, as a society, profess to abhor political blackmail, and struggle to insulate our decision making process from the influence of those who would sacrifice the common good for greedy self interest. Yet here we find a Commission, made up of public citizens appointed by a President, agreeing that this method of decision making is in the public interest. I am not naive enough to think that this process has not been repeated hundreds of times prior to this occasion by this and other agencies; but I am shocked when, rather than try to hide the reality, we applaud it as an appropriate method of doing the people's business.

This procedure is rendered even more abhorent when one sees it in the perspective of the industry power over regulatory agencies that already exists. Industries have often written the legislation under which the agencies act. They may have veto power over the Commissioners appointed. Their knowledge of the working of the agency is enhanced by their hiring away the ablest of its employees. (Most former FCC Commissioners are now working, in one way or another, for one of the industries they were formerly responsible for regulating.) The potential of such future employment (at much higher pay) has been characterized by Ralph Nader as "the deferred bribe." The "regulated" industry influences the agency's appropriations, even its forms and inquiries (through OMB "industry advisory committees"). The industry has the money to contract for any study, hire any consultant, and file whatever legal briefs and other documentation may be necessary to influence the decision "on the merits." It can send representatives to walk the halls of the agency, and provide luncheons for Commissioners and employees. It fights at every turn (generally with agency backing) any participation by public interest law firms in matters before the agency. Now, on top of all this, what the FCC seems to be saying is that if, notwithstanding this stacked deck, the industry *still* loses, we will then let it win because it's so politically powerful it can get its way anyway. The whole sordid story doesn't auger well for those who are urging the disaffected to "work for change within the system."

The value we have trampled on comes to us from at least three different sources: the Administrative Procedure Act (APA), the philosophical concept of independent Congressional agencies, and the due process clause of the fifth amendment. The APA was designed to establish an orderly procedure by which administrative agencies can collect information necessary for them to make intelligent decisions. It provides an opportunity for all interested parties to comment on a proposal (in this case, cable television regulation), reply comments from those who wish to dispute what others have said, and public hearings in the event the agency feels they are desirable. After this process, the agency is free to consult or use any source it wishes. Thus, although adoption of the consensus agreement may not be prohibited by the APA, such an action is clearly inconsistent with the spirit of an Act which attempts to set out an orderly public procedure by which decisions of this nature are made. The FCC often issues proposed rule makings which are little more than superficial rewrites of the requests of one special interest or another. That is not the point. In this instance we went out of our way to canvas the full range of public and industry opinion *before* issuing our August 5 policy. For Chairman Burch *subsequently* to go into secret sessions with industry spokesmen, and accept their rewrite of the rules, and then force the industry version down the throats of his fellow Commissioners, Congress and public alike makes an unnecessarily cruel hoax of what started out as a fairly commendable undertaking.

Perhaps more serious is the fact that one major party to the compromise (described by some as the "glue" that holds the compromise together) was the Director of the President's Office of Telecommunica-

tions Policy. His participation, indeed the very existence of his Office, looms large as a threat to the independence of the FCC as an agency responsible only to Congress. This alternative voice tends to turn the Commission into a partisan body, by causing it to react on political rather than sound policy grounds; further, it tends to increase the rivalry between the President and Congress, a rivalry which is healthy only when it results in constructive dialogue as opposed to destructive bickering. And, no less serious, it legitimizes the Administration's carrot/stick approach to broadcasters, serving as it does as an ambiguous, fear-inducing institutional outlet for the President's attacks and rewards to the media.

Finally, the history of this proceeding, beginning as it did with an honest and good-faith effort to develop the best possible cable television rules, and ending with complete and utter deference to the demands of the most powerful elements of the industry, may have left us with a legacy that cannot withstand Constitutional scrunity. In 1934, and again in 1935, the Supreme Court had occasion to address a markedly similar question in the context of New Deal legislation. Under laws subsequently struck down by the Court, industry committees were given the authority to promulgate binding regulations on their entire industry. In striking this legislation on several grounds (some of which are not applicable here, and in any event have been reversed by later Court decisions), the Supreme Court said:

> But would it be seriously contended that Congress could delegate its legislative authority to trade or industrial associations or groups so as to empower them to enact the laws they deem to be wise and beneficent for the rehabilitation and expansion of their trade or industries? Could trade or industrial associations or groups be constituted legislative bodies for that purpose because such associations or groups are familiar with the problems of their enterprises? And, could an effort of that sort be made valid by such a preface of generalities as to permissible aims as we find in section 1 of title I? The answer is obvious. Such a delegation of legislative power is unknown to our law and is utterly inconsistent with the constitutional prerogatives and duties of Congress. *Schechter Corp.* v. *United States*, 295 U.S. 495, 537 (1934).

In a later case the Court made a similar declaration:

> The power conferred upon the majority [of the industry to establish binding wage and hour laws] is, in effect, the power to regulate the affairs of an unwilling minority. This is legislative delegation in its most obnoxious form; for it is not even delegation to an official or an official body, presumptively disinterested, but to private persons whose interests may be and often are adverse to the interests of others in the same business. The record shows that the conditions of competition differ among the various localities. . . . The difference between producing coal and regulating its production is, of course, fundamental. The former is a private activity; the latter is necessarily a governmental function, since, in the very nature of things, one person may not be entrusted with the power to regulate the business of another, especially a competitor. . . . The delegation is so clearly arbitrary, and so clearly a denial of rights safeguarded by the due process clause of the Fifth Amendment. . . . *Carter* v. *Carter Coal Co.*, 298 U.S. 238,311 (1935).

No one would contend that these cases are "on all fours" with the case before us. In the NRA cases the Court was concerned with a direct, statutory delegation of decision making and regulatory power by Congress to an industry; here the "delegation" resulted from the FCC's capitulation to the sheer power of the industry, and does not

involve continuing regulatory responsibility. Further, these cases have been overruled on many other grounds, and it is difficult to say with certainty that this aspect of the cases is as vital today as it was in 1935, even though they have never been overruled on these grounds. But the fact remains that the Supreme Court has addressed the underlying issues present here and has found the procedures wanting.

The very existence of this compromise, and the fact that as a practical matter the Commission was obliged to either accept it in its entirety or not at all (with the necessary result of eliminating the prospects of *any* cable for months or years), made the act of putting out the rules based on this compromise as a Further Notice of Proposed Rule Making for public comment an exercise in futility. I tried to offer modest revisions of some of the compromise provisions to make them a wee bit more palatable; Chairman Burch would not budge. It was *fait accompli* or nothing.

It would have been hypocrisy in the extreme to solicit comments suggesting changes we were not free to make. The only question that we as Commissioners, had to decide, was whether we were willing to sacrifice a fundamental value of a democratic society—the independence of government officials from the influence of big business—in exchange for some cable television. The majority concluded that it was in the public interest to do so. I could not. No amount of comment could expand our ability to resolve this fundamental jurisprudential question, and asking for public comment would have been nothing more than a cheap attempt to camouflage what, in my view, is a fatal flaw in our procedure.

V. Conclusion: the Politics of Cable

In view of the fact that the FCC has, in effect, abandoned its role as the formulator of policy and the interpreter of law for that of the political pundit, perhaps I am obliged to engage in a little political comment myself.

The wisdom and validity of the FCC's acceptance of industry rules in place of its own turns on one issue—accepting the majority's interpretation. Put most bluntly, had we held firm to the August 5 policy, could we have brought it off? The majority thinks not; I think we could have done it.

I say "accepting the majority's interpretation" because it is, itself, a questionable assumption. The majority is saying, in effect, that a regulatory commission must consider not just the legitimate interests of all parties but also their political power. Its responsibility, says the FCC, goes beyond simply finding and promulgating the policy most "in the public interest." It must also consider the power of any of the powers before it to use political influence with the White House or Congress to render its policy ineffective.

The contrary position, of course is that a regulatory commission should simply declare the policy as it sees it and let the chips fall where they may in terms of subsequent actions by Congress, White House, or courts. (One might observe, for example, that the FCC has seemingly given little consideration in recent months to the likelihood that its decisions might be overturned by the courts.)

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Since the latter position seems to have few adherents, I will simply offer it without stating a personal preference, and proceed to taking on the majority on its own ground. What were the politics of the August 5 policy?

Chairman Burch at one point declared to a House Committee that we could have a cable policy by the end of May 1971. *Hearings on Federal Communications Commission Activities (1971) before the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce*, 92nd Cong., 1st Sess., ser. 92–8 at 20 (1971). (This was later changed to August 5, December 31, March 1, 1972, and finally the date selected, March 31—which ultimately may have to be extended for petitions for reconsideration.) That declaration prompted an immediate reaction from broadcasters, pressuring their Senators to hold up the policy one way or another. The Senators, in turn, communicated their constituent problems to Senator Pastore, Chairman of the Subcommittee on Communications of the Senate Commerce Committee. *Hearings on Community Antenna Television Problems before the Subcommittee on Communications of the Senate Committee on Commerce*, 92nd Cong., 1st Sess., ser. 92–12 at 1–2 (1971). Senator Pastore, for whatever reasons, called the FCC before his Subcommittee in June 1971.

At that time Chairman Burch outlined the substance of what became the August 5 policy. Senator Pastore indicated his desire to know the details of the policy before it was released. *Senate Hearings* at 107. Commissioner Bartley and I complained on the record that this was contributing to the delay sought by the broadcasters. *Senate Hearings* at 72 and 107. Chairman Burch's testimony seemed to Commissioner Bartley and me to be an adequate preview of the policy for Congress. Indeed, I argued within the Commission at the time that even that testimony may have been going too far. (My own view is that Congress established the FCC to formulate communications policy, and that, in general, it ought to leave it alone to do its job, subject to two exceptions: general "oversight" hearings to review what the agency has done after the fact, and subject matter legislative hearings that necessarily preempt the FCC's authority to act on the issue under review. This was neither. This is a view which Senator Hart supported during the Hearing. *Senate Hearings* at 57–58.)

Even accepting for sake of argument that the FCC is obliged to comply with every Congressman's every wish, it seemed to me that our participation in the hearing had achieved that purpose. Chairman Burch further promised that the Committee could get an advance look at the final policy (which I also felt to be unnecessary), and that the policy would be out before Congress adjourned (August 5, which I felt to be later than necessary). In no event do I think Senator Pastore's requests (for the hearing, and for the advance look at the policy) required that the August 5 policy be issued in anything other than final form.

And so it was that I, once again, protested the additional delay when Chairman Burch indicated to his fellow Commissioners that the August 5 policy was not going to be issued as final rule making, but as some kind of an unprecedented "letter" to the Chairmen of the Sen-

ate and House Communications Subcommittees. In any event, at that time we were promising the policy would be finally issued by December 31, 1971.

The question is, what would have happened had we issued that August 5 policy as final rule making sometime between August 5 and December 31? Bear in mind that those who voted for it on August 5 felt morally obliged to stick with it, notwithstanding the fact that each of us had some misgivings about various parts of the document. Bear in mind also that Commissioner Robert Wells, the only Commissioner not to vote for the policy, had left; Commissioner Wiley, who took his place, and Commissioner Reid, who replaced Commissioner Houser, might well have voted for the August 5 policy (based upon their votes and opinions today).

We had discussed the policy in open hearings with both sides of Congress. We had given them the document in advance, in effect, with the August 5 letter. No Senator of Congressman could have made any reasonable argument that he was caught unaware, or that more time was necessary to evaluate the matter. (Indeed, Senator Pastore was on record as hoping the policy would not change: "I hope we don't end up with one resolution and then have to chase another idea, because that has happened time and time again." *Senate Hearings* at 37.)

Most significantly, Chairman Burch would have been going forward with a unanimous (or, at worst, nearly unanimous) Commission—something he clearly doesn't have for his current industry policy. He and I, and the others, would be declaring to Congress, the industry, and the public, with a single harmonious voice, that we were in agreement on a policy that was, indeed, in the public interest.

No dissatisfied industry spokesmen could have argued to us, or to Congress, that they had not had an adequate opportunity to be heard—fully and fairly. Our 1971 hearings were widely known to have been among the best in the agency's history.

As for national Presidential politics, our rules make absolutely no sense at all given the current state of our economy. The installation of cable systems in our largest cities would require capital expenditures in the millions of dollars. Thousands of people would be put to work building the facility, laying the cable and making the connections to the subscribing homes. In short, cable could provide a shot in the arm for our ailing economy where it is needed most—our cities. If our sole purpose for taking this action is to protect broadcasters and copyright holders, it would be far more beneficial to all concerned simply to subsidize them directly, perhaps from the taxes paid by cable systems, than to deprive the people of our major cities of both the economic growth and the technological development that cable could bring. Politics involves more than campaign contributions from the wealthy, and media exposure by broadcasters. It also involves the ability to marshal evidence of having done *something* for the people. How can the FCC's decision possibly be squared with the President's recent State of the Union message?

> We also will help meet our goal of full employment in peacetime with a set of major initiatives to stimulate more imaginative use of America's great capacity for technological advance, and to direct it toward improving the quality of life for every American.

In reaching the moon, we demonstrated what miracles American technology is capable of achieving. Now the time has come to move more deliberately toward making full use of that technology here on earth, in harnessing the wonders of science to the service of man. 118 Cong. Rec. H 146–47 (daily ed. January 20, 1972).

The only miracle with cable technology is that it still exists at all.

No one, of course, can *know* what is going to happen to any policy in Washington. One often suspects that "D.C." stands for the Delay Capital of the world. Broadcasters and copyright owners (and possibly even some cable operators) would have attempted to stop the policy. So what's new? They are trying to stop today's so-called "consensus" policy, too—giving further proof to the fact that there just ain't no such thing as a consensus between *all* the economic interests that are involved in this policy (as distinguished from those segments of industry represented at the closed White House meetings with Chairman Burch). What we're engaged in is predictions, game theory. So that's why I put all the chess men on the board. And when I look at them, and consider all the plays I've watched (and participated in) during the past 10 years in this town, what I *think* would have happened is that—after a few abortive phone calls and letters from the Hill, a threatened White House "task force," and some faulty court suits—the August 5 policy would have become the law of the land.

And that, at least, is a good deal more than the likelihood of a lived-happily-ever-after ending for the policy we're throwing up on the table today.

SUPPLEMENTARY OPINION OF COMMISSIONER NICHOLAS JOHNSON

I never gave the Republicans hell. I just told the truth and they thought it was hell.

—President Harry S. Truman

There has been a controversy in Washington, D.C., recently regarding yet another bridge across the Potomac River, the "Three Sisters Bridge"—so named because of the three small islands in the river where it would cross.

Those who build highways thought it necessary to their scheme of things. Those who seek mass rapid transit systems—joined by environmentalists—opposed the bridge.

The National Capital Planning Commission originally included the bridge in its comprehensive transportation plan. It then deleted it. Six months later Representative Natcher, Chairman of the Subcommittee of the District of Columbia of the House Appropriations Committee, "suggested" that if the bridge were not built he would see to it that money for the construction of the planned subway system was denied. The Commission then revived the bridge plan.

The process for revival required that Secretary of Transportation John Volpe approve the building of the bridge. He did so, and the building commenced. Disappointed protesters appealed, arguing among other things that it was inappropriate for the Secretary to take into consideration Congressional pressure. On April 6, 1970, the United States Court of Appeals for the District of Columbia Circuit remanded the decision to the trial court for an evidentiary hearing

to determine whether the Secretary had complied with the pertinent provisions of law in reviving the bridge. *D.C. Federation of Civic Associations* v. *Volpe*, 434 F. 2d 436 (D.C. Cir. 1970). After hearing, the case again came before the Court of Appeals. In a landmark decision, the Court reversed the decision of the Secretary. *D. C. Federation of Civic Associations* v. *Volpe*, —— F. 2d —— D.C. Dir., October 12, 1970).

Because of the remarkable parallel between the issue in that case and the one before us I would like to quote at greater length than usual from Judge Bazelon's opinion.

> The author of this opinion is convinced that the impact of this pressure [the threat by Representative Natcher to withhold funds needed to complete the subway] is sufficient, standing alone, to invalidate the Secretary's action. Even if the Secretary had taken every formal step required by every applicable statutory provision, reversal would be required, in my opinion, because extraneous pressure intruded into the calculus of considerations on which the Secretary's decision was based.
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> While Judge Fahy is not entirely convinced that the District Court ultimately found as a fact that the extraneous pressure had influenced the Secretary's decision—a point which is for me clear—he has authorized me to note his concurrence in my discussion of the controlling principle of law: namely, that the decision would be invalid if based in whole or in part on the pressures emanating from Representative Natcher. Judge Fahy agrees, and we therefore hold, that on remand the Secretary must make new determinations based strictly on the merits and completely without regard to any considerations not made relevant by Congress in the applicable statutes.
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> [T]he underlying problem cannot be illuminated by a simplistic effort to force the Secretary's action into a purely judicial or purely legislative mold. His decision was not "judicial" in that he was not required to base it solely on a formal record established at a public hearing. At the same time, it was not purely "legislative" since Congress had already established the boundaries within which his discretion could operate. But even though his action fell between these two conceptual extremes, it is still governed by principles that we had thought elementary and beyond dispute. If, in the course of reaching his decision, Secretary Volpe took into account "considerations that Congress could not have intended to make relevant," his action proceeded from an erroneous premise and his decision cannot stand. The error would be more flagrant, of course, if the Secretary had based his decision solely on the pressures generated by Representative Natcher. *But it should be clear that his action would not be immunized merely because he also considered some relevant factors.*
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> We do not hold, in other words, that the bridge can never be built. Nor do we know or mean to suggest that the information now available to the Secretary is necessarily insufficient to justify construction of the bridge. We hold only that the Secretary must reach his decision strictly on the merits and in the manner prescribed by statute, without reference to irrelevant or extraneous considerations.
>
> For the purposes of the foregoing discussion, we have assumed that pressures exerted by Congressional advocates of the bridge are irrelevant to the merits of the questions presented to Secretary Volpe. It does not seem possible to make even a colorable argument of relevance except with regard to § 138; but it might be argued that the potential loss of the subway was the type of "unique problem" and cost of "extraordinary magnitude" that the Secretary could properly consider in deciding, pursuant to § 138; that there were not prudent alternatives to the use of parkland for the bridge. The Secretary plainly understood that the price of abandoning, modifying, or even delaying construction of the bridge was

the loss of appropriations for the District's subway. He undoubtedly viewed the prospect of that loss with understandable alarm, and may have concluded that the destruction of parkland was inescapable and appropriate in the face of Representative Natcher's clear and enforceable threat. We cannot agree, however, that a determination grounded on that reasoning, would satisfy the requirements of § 138.

* * * * * * *

The "unusual situation" posited here is *entirely the product of the action of a small group of men with strongly-held views on the desirability of the bridge, who, it may be assumed, are acting with the interests of the public at heart.* They may well be correct in concluding that a new bridge is needed and that no alternative location is available. But *no matter how sound their reasoning nor how lofty their motives, they cannot usurp the function vested by Act of Congress in the Secretary of Transportation.*

* * * * * * *

To avoid any misconceptions about the nature of our holding, we emphasize that we have not found—nor, for that matter, have we sought—any suggestion of impropriety or illegality in the actions of Representative Natcher and others who strongly advocate the bridge. They are surely entitled to their own views on the need for the Three Sisters Bridge, and we indicate no opinion on their authority to exert pressure on Secretary Volpe. Nor do we mean to suggest that Secretary Volpe acted in bad faith or in deliberate disregard of his statutory responsibilities. He was placed, through the action of others, in an extremely trecherous position. Our holding is designed, if not to extricate him from that position, at least to enhance his ability to obey the statutory command notwithstanding the difficult position in which he was placed. *D.C. Federation of Civic Associations v. Volpe,* —— F. 2d —— (D.C. Cir., October 12, 1971) (slip opinion at 24–31) (footnotes omitted) (emphasis supplied).

After all the rhetoric, euphemisms, and ad hominum arguments are stripped away from Chairman Burch's outburst, the most significant issue dividing us is symbolized by this case.

We disagree on some of the specific details of the August 5th and February 4th policy statements. Those disagreements have been fairly thoroughly canvassed in our opinions of February 9th and 16th. We were, after all, shoulder-to-shoulder on the August 5th policy statement, and I have had nothing but praise for the Chairman's leadership in bringing us through some innovative hearings to that position. To the extent we differ as to the likelihood of the extent and location of the cable "freeze" brought about by our new rules I can only hope that history will prove him to be right and me wrong. To the extent we differ as to my sincerity and effectiveness in making long-range substantive contributions to communications policy in the United States (including cable television policy), once again we will have to await the future judgment of those that follow us. It would be impossible, as well as inappropriate, for me to prepare today the catalog of change effected during an exciting first six years of my seven year term.

No, the differences between us that matter—differences that I would have hoped could be addressed without personal rancor—involve the propriety of the fact, and the process, of our yielding to what can only be described as industry (and potential Congressional) pressure.

It is factual, not "dishonest," "irresponsible," or an "oversimplification," to assert that the FCC had formulated a near-unanimous statement of what the public interest called for in cable television policy

on August 5, 1971. It is a fact that Chairman Burch and I voted together—without separate statements—on that policy. It is a fact that it was sent to the United States Senate and House of Representatives with the representation that it was to become national cable policy.

It is a fact that closed meetings were subsequently held under the auspices of the White House, and that Chairman Burch participated in those meetings with a representative of the President of the United States. It is a fact that the other Commissioners did not participate in those meetings, and that they were not simultaneously briefed as to their existence or substance. It is a fact that the industry representatives involved represented what can fairly be called "big business." It is a fact that no representatives of the public were present—nor, for that matter, representatives of small market television station operators.

It is a fact that the Commissioners were subsequently presented with a "fait accompli"—they could accept the new policy in its entirety or not at all. It is a fact that they accepted it because of representations that, otherwise, industry, White House and Congressional pressures would halt our August 5th policy.

I believe such a procedure was wrong, inappropriate, despicable—call it what you will. I believe it was politically unnecessary, for reasons I spelled out in my February 9th statement. I believe it may also have been illegal.

None of this has anything to do with my personal feelings about Dean Burch or President Nixon. Nor does it have to do with my unwillingness to compromise—the August 5th statement represented a considerable accommodation to the practical politics of broadcasters' power. It has to do with the outer reaches of propriety in administrative procedure.

Whether or not our procedures may also be found to have actually violated the law remains to be seen. The Three Sisters Bridge case seems close to this one—almost directly applicable if one substitutes "Commission" for "Secretary," and "cable compromise" for "bridge." Whatever the law may prove to be, however, my principal disagreement is with the impropriety and the appearance. In an age when cynicism is rampant about the federal government in general and the FCC in particular, I believe we have an obligation to give the public cause for more confidence rather than less.

CONCURRING STATEMENT OF COMMISSIONER CHARLOTTE T. REID

I concur in the action taken today by the Commission.

The enactment of these new Cable Television Rules will, hopefully, provide for the further development of cable television systems.

While I do not find myself in complete accord with each and every item set forth in the new Rules, the fact that these rules reflect the consensus agreement reached by the principal parties (cable television system owners, broadcasters and copyright owners) are far better than no rules at all. It, therefore, seems clearly in the public interest to give implementation to the compromise agreement and for that reason, I concur with the results of the Commission's action.

We must be fully aware however, that there may be problems in some areas. A particular concern to me, is the impact which these rules may have on broadcasters located in the smaller markets. It is for this reason that we have provided that the Rules do not become effective until March 31, 1972. Should there be difficulties, persons affected thereby may bring these to the Commission's attention in their Petitions for Reconsideration.

I wish to reiterate that I feel that the action taken by the Commission is definitely a step in the right direction, and that it conforms to the basic intent of the August 5 letter. Our action should now provide Congress with a foundation for the enactment of copyright legislation in further implementation of the compromise agreement.

CONCURRING STATEMENT OF COMMISSIONER RICHARD E. WILEY

The cable television program which this Commission has wrought is the attempted settlement, after years of experience and recent months of intensive study and analysis, of one of the most complex and difficult problems ever presented to any administrative body, It is, in its very essence, a compromise: between diverse industry groups, between competing technologies, between a plethora of different viewpoints and, in the final analysis, between various Commission members on myriad points of substance and form. As such, it is—indisputably—not a perfect document. It is not even the document which, left to our druthers, each of us perhaps would have written. But so it is with any compromise—something which, in its four corners, fully satisfies no one.

Edmund Burke has said: "All government—indeed . . . every prudent act—is founded on compromise." Ultimately, I have been persuaded that the adoption of this compromise package for the further development of cable television in this country is, administratively, a prudent act. The choice realistically confronting the Commission, after all, was this particular program—or none at all. And faced with this choice, I have selected the former with certain personal reservations of which I would like briefly to take note.

Throughout our deliberations on this program, my profound concern has been that, in permitting cable television with its great promise of potentially new and significant services to the public to develop, we not in the process destroy or unduly impair the service which over-the-air television has long provided to American citizens. My apprehension in this regard has focused particularly on smaller broadcasters whose service to rural and sparsely populated areas of our country generally has been, in my opinion, very much in the public interest. And, sad to say, it is sometimes smaller entities whose voices are less heard and heeded when a compromise is attained. In this connection, while by no means everything which some small broadcasters urged was required, I am heartened by the provisions of the Report and Order which indicate that the Commission will continue to scrutinize carefully the impact of cable television penetration on such public service broadcast operations and will, where necessary to insure that local service will not disappear or be unduly dis-

sipated, extend special relief or adjust its program accordingly. I take these provisions very seriously and intend to hold the Commission to its word in this regard.

Similarly, I have been concerned that the Commission, to date, has devoted far too scant attention and analysis to the question of cable's impact on existing radio service to the public. For this reason, I strongly favor the further inquiry which the FCC has decided to conduct in this important area and am satisfied that the interim provisions of the Commission's Notice of Proposed Rule Making will effectively preserve the status quo while we make an expeditious but intensive examination of this entire subject.

Finally, while a majority of the Commission felt that permitting additional comment on our cable television rules was not required, I am mollified by its action in delaying the effective date of the rules beyond the 30 days ordinarily required so that we may consider petitions for reconsideration prior to the rules becoming operative.

I would like to close by affirming, for the record, the fact that I, as a Commissioner, was given every opportunity during our prolonged deliberations to express my own personal viewpoint on the very complicated issues involved in this entire matter. In my opinion, the same was true of each of my colleagues. If our procedures in bringing this cable package to fruition were in any way out of the ordinary, I believe it is also fair to say that the problem with which we were grappling was eminently out of the ordinary. Fundamentally, the decision which each member of the Commission had to address was whether or not the compromises involved resulted in a program which, in the final analysis, serves the public interest.

I have made that decision. I concur.

BEFORE THE

F.C.C. 72–530

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

In the Matter of	
AMENDMENT OF PART 74, SUBPART K, OF THE COMMISSION'S RULES AND REGULATIONS RELATIVE TO COMMUNITY ANTENNA TELEVISION SYSTEMS; AND INQUIRY INTO THE DEVELOPMENT OF COMMUNICATIONS TECHNOLOGY AND SERVICES TO FORMULATE REGULATORY POLICY AND RULEMAKING AND/OR LEGISLATIVE PROPOSALS	Dockets Nos. 18397; 18397–A
AMENDMENT OF SECTION 74.1107 OF THE COMMISSION'S RULES AND REGULATIONS TO AVOID FILING OF REPETITIOUS REQUESTS	Docket No. 18373
AMENDMENT OF SECTION 74.1031(c) AND 74.1105 (a) and (b) OF THE COMMISSION'S RULES AND REGULATIONS AS THEY RELATE TO ADDITION OF NEW TELEVISION SIGNALS	Docket No. 18416
AMENDMENT OF PART 74, SUBPART K, OF THE COMMISSION'S RULES AND REGULATIONS RELATIVE TO FEDERAL-STATE OR LOCAL RELATIONSHIPS IN THE COMMUNITY ANTENNA TELEVISION SYSTEM FIELD; AND/OR FORMULATION OF LEGISLATIVE PROPOSALS IN THIS RESPECT	Docket No. 18892
AMENDMENT OF SUBPART K OF PART 74 OF THE COMMISSION'S RULES AND REGULATIONS WITH RESPECT TO TECHNICAL STANDARDS FOR COMMUNITY ANTENNA TELEVISION SYSTEMS	Docket No. 18894

MEMORANDUM OPINION AND ORDER ON RECONSIDERATION OF THE CABLE TELEVISION REPORT AND ORDER

(Adopted June 16, 1972; Released June 26, 1972)

BY THE COMMISSION: COMMISSIONER BARTLEY CONCURRING IN THE RESULT; COMMISSIONER ROBERT E. LEE DISSENTING AND ISSUING A STATEMENT; COMMISSIONERS JOHNSON, H. REX LEE, AND REID CONCURRING AND ISSUING STATEMENTS; COMMISSIONER WILEY CONCURRING IN THE RESULT.

1. On February 2, 1972, we adopted the *Cable Television Report and Order*.[1] Petitions for reconsideration, oppositions thereto and the reply comments have been filed, and we now address the objections. At the

[1] FCC 72–108, 37 Fed. Reg. 3252 (1972).

outset—and before taking up exceptions to specific rules—it is appropriate to deal with two matters of overriding and more general concern; i.e., whether, in adopting the Rules, the Commission followed the requirements of the Administrative Procedure Act and whether the effective date of the Rules should be delayed pending the enactment of copyright legislation.

2. *Compliance with Administrative Procedure Act.* Dispute continues over whether the Commission observed the requirements of the Administrative Procedure Act in adopting the *Cable Television Report and Order*. That *Report* recites in detail the more than three year history of the cable proceeding and spells out step by step how the Commission probed the issues raised by its proposals for rulemaking. In the course of finalizing rules, the Commission considered whether or not to extend the proceeding for further comment or more oral argument. We decided that additional process was neither required nor likely to serve a useful purpose. A summary of the reasons may be found in Paragraph 67 of the *Report*. We continue to hold the view that after years of gathering data, soliciting views, hearing argument, evaluating studies, examining alternatives, authorizing experiments, and holding final discussions—during which every principal aspect of cable was examined—the requirements governing the adoption of new rules have been satisfied.

3. More recently, the Commission, on March 23, 1972, denied a "Motion to Stay Pending Appeal", filed by the Nevada Independent Broadcasting Corporation. The motion raised the same issue that is now before us on reconsideration, and we rely on the language of the *Memorandum Opinion and Order* supporting the refusal to stay the rules, 34 FCC 2d 165 (1972). (See Appendix C for text.) In that decision, we stated that notice was given of the subject matters and issues in each area. We received extensive comments and proposals and held hearings and thus had discretion to fashion rules applicable to the issues raised. This was true when we outlined the regulatory program in our August 5 Letter. This situation did not suddenly change when the Commission took into account the November consensus agreement. For, in all matters involved in the agreement—exclusivity, leapfrogging, overlapping market signals—the Commission gave full notice of the "subject matter and issues" and had permitted and received extensive comments. The Commission studied the industry agreement on exclusivity, leapfrogging, and overlapping markets, and it made its judgment on whether to adopt the agreement against the background of the extensive comments received. It concluded that adoption of exclusivity factors clearly would serve the public interest—that this detailed, complex facet of regulation was appropriate for agency rather than legislative process. Overall, the Commission concluded that adoption of the features of the agreement—found to be reasonable—would markedly serve the public interest in promoting the development of cable television for the reasons set out in Paragraph 67 of the *Cable Television Report and Order*—most important of which was the agreement's effect on the crucial underlying controversy, cable's standing vis-a-vis the TV programming distribution market.

Significantly, all parties have had an opportunity to address themselves to the fundamental judgment on reconsideration, and none has shown it to be in error. Indeed, the great majority of parties in opposition have largely ignored this crucial point to make technical APA arguments. But cases such as *NLRB* v. *Wyman-Gordon Co.*, 394 U.S. 759 (1969), are not in point here. That case focused on a requirement adopted in an adjudicatory proceeding that was to have prospective, general application. Here, rules were adopted pursuant to statutory rule making procedure. We have held proceeding upon proceeding and given ample opportunity for all interested parties to address themselves to this subject matter and all pertinent issues. Indeed, the criticism is made with some force that with all this process we have held back cable's development too long—that formulation of governmental policy has much delayed a new and vital technology. At some point, action is called for. That point is reached here.

4. *Copyright.* Several petitioners, including the National Association of Broadcasters (NAB), the Rocky Mountain Broadcasters Association (RMBA), Columbia Broadcasting System, Inc. (CBS), American Broadcasting Company, Inc. (ABC), and KMSO–TV, Inc. argue that the effective date of our new rules should be delayed until settlement has been reached on the copyright issue. The RMBA argues that the rules should be delayed until Congressional enactment of copyright legislation or at least until a draft for legislation is agreed on by the parties to the Consensus Agreement. The NAB, making the same argument, states: "It is our understanding that such a draft was to have been proposed to Congress by the time the Commission's rules were released." ABC contends that ". . . should copyright legislation not be forthcoming within a reasonable time, it will be necessary, in ABC's view, for the Commission to halt authorization of CATV operation."

5. Over the years, the ultimate integration of cable television into the nation's communications structure has been deadlocked on the copyright question—how to weave the cable industry into the market for distributing television programs, a process that distributes the costs of programming among those who use it. The tying of cable's development to the settlement of copyright has in the past served to harden the impasse, not unblock it. We now expect agreement of the industries and that legislation will be forthcoming. We are convinced that putting our program into effect only after legislation is enacted will effectively diminish the prospect for settlement and will not promote our goal of fostering the orderly development of cable television.

6. This view finds additional support in the exchange of letters (reprinted in full in Appendix E to the Cable Television Report and Order) between Chairman Burch and Senator McClellan, Chairman of the Subcommittee on Patents, Trademarks and Copyrights. Chairman Burch wrote, ". . . a primary factor in our judgment as to the course of action that would best serve the public interest is the probability that Commission implementation of the consensus agreement will, in fact, facilitate the passage of cable copyright legislation. The parties themselves pledge to work for this result." In his reply, the

Senator stated, ". . . I concur in the judgment set forth in your letter that implementation of the agreement will markedly facilitate passage of such legislation." The Senator went on to say that all parties have been notified in a letter of December 15, 1971, that the Subcommittee intended immediately to ". . . resume active consideration of the copyright legislation *upon the implementation of the Commission's new cable rules*" (emphasis added).

7. Finally, we reach ABC's contention that the Commission will have to take action if copyright legislation is not forthcoming within a reasonable period of time. We agree with this position, and have so stated in Paragraph 65 of the *Report*. It would be premature to speculate now what action would be necessary in that event. We hope never to have to reach that point since it is our expectation that the parties will expeditiously reach an accord and that copyright legislation will be enacted once these rules become effective.[2] We have decided after much study and debate to take the first step. We will revisit the matter if our estimate proves wrong that adoption of our program will facilitate copyright legislation.

RECONSIDERATION OF SPECIFIC RULES

8. Most of the requests to reconsider have been principally directed to specific rules. To simplify reconsideration, we have taken the objections by subject matter and grouped them to conform to the arrangement of the *Cable Television Report and Order*, under the following principal headings—signal carriage, access, technical standards, federal-state/local relationships, procedure.

SIGNAL CARRIAGE RULES

9. *Translators.* The Montana Network, licensee of KOOK–TV in Billings, Montana, and of 100-watt VHF Translator K131Y at Lewistown, Montana, which rebroadcasts the signal of KOOK–TV, seeks reconsideration of our definition of a television station contained in Section 76.5(b). Montana Network contends that the definition should include any 100-watt or higher translator operating on a channel regularly assigned to its community. It is alleged that this would provide a thirty-five mile zone around such translators and, by protecting them from the impact of unlimited distant signal importation, would conceivably enable them to develop into regular television stations. The Rocky Mountain Broadcasters Association seeks reconsideration of our carriage rules so that translators of less than 100 watts will be required to be carried. The National Association of Educational Broadcasters notes that the rules require carriage of translator stations only where the station is licensed to serve the cable community but that some translators, in fact, serve areas beyond the community of license. NAEB seeks modification of the carriage rule so that translators will be carried in such areas.

[2] In its opposition to petitions for reconsideration, the NCTA states that meetings between copyright owners and cable industry representatives are presently taking place in order that draft legislation may be proposed to the Congress.

10. Under the rules adopted in 1966, *Second Report and Order in Docket No. 14895*,[3] we require the carriage of translator stations with 100 watts or higher power. It was our view that carriage was desirable because it afforded access to cable subscribers without which the incentive to establish new translator service might be diminished. We are not persuaded that there is any reason to require cable systems to carry commercial translators of less than 100 watts transmitter output power. As to noncommercial educational translators, however, the need for carriage of translators of power of less than 100 watts has become apparent because such translators often represent the only means of bringing educational programs to remote communities and schools. Further, translators are frequently licensed to serve areas rather than identifiable communities. The factor that will determine whether carriage of a translator is required, therefore, will be whether the translator serves the cable community. We recognize that, in specific situations, questions may arise as to whether a translator "serves" a cable community and we will deal with such problems on an *ad hoc* basis. We will, of course, expect the translator licensee to do what is necessary to make a quality signal available to the cable system if it wishes to be carried on the system. For the reasons discussed, we have decided to retain the requirement that cable systems carry commercial translators of 100 watts or more serving the cable community, where the system is not carrying the primary station, but we are revising the rules to require that a cable system that was not operational before March 31, 1972, or that expands its channel capacity must carry, on request, any noncommercial educational translator station with 5 watts or higher power serving the community of the system where the system is not carrying the primary station. A noncommercial educational translator is defined as one that carries the programming of a noncommercial educational television station, irrespective of the identity of the licensee of the translator.

11. *Educational Stations.* NAEB argues that the compulsory carriage of educational stations throughout their Grade B contour "will generate an intolerable profusion of educational signals, in many communities." NAEB believes that carriage should only be required within specified mileage zones.

12. We have required carriage of educational stations throughout the Grade B contours of such stations because of the public interest in wide dissemination of their programming and the difficulty in devising a significant viewing standard for educational stations. It would be a disservice to the public to deprive them of educational television service from local stations, and our market analysis does not indicate that large numbers of educational signals are available locally even in overlapping market situations. As a safeguard, however, local educational stations, which must receive notification of cable signal carriage proposals, are free to object to carriage of educational stations where the carriage of both local and distant educational stations would cause an unwarranted profusion of educational signals.

13. *Carriage of Independent Distant Signals.* Buckeye Cablevision, Inc., *et al.*, NewChannels Corp., Athena Communications, and Jerrold

[3] 2 FCC 2d 725 (1966).

Electronics Corporation seek reconsideration of our rules that require cable systems importing distant signals to specifically designate the distant stations to be carried. Under the rules, a cable system may "program" distant signals—i.e., "cherry pick" or switch distant signals to obtain desired programming—when the system blacks out the designated independent signal under the syndicated program exclusivity rules. See Sections 76.61 and 76.151. These parties argue that unless a "programmed independent service" is permitted, the Commission's desire to "get cable moving" and to encourage UHF development will be frustrated. It is contended that in many areas of the country, independent stations may only be imported via long haul mircowave, and that the expense of such carriage can, in many instances, only be justified if the cable system is able thereby to obtain an attractive package of programming from a distant source. It is submitted that the making up of channels of programming by selecting the best from available distant sources would result in greater carriage of UHF programming, that there is not likely to be greater impact on local stations if cable operators are permitted to program such channels, and that cable subscribers would be afforded more diversity of programming. The same parties also request reconsideration of Sections 76.59(b) and 76.61(b) so that network programs not available in the community may be imported on distant signals. It is also requested that stations other than independents, e.g., full or partial network stations or cherry pickers, be permitted to be carried. It is argued that in those areas of the country where it is not economically feasible to import independent stations there should be an alternative, such as importation of non-network programs from television stations that do not meet the definition of independent stations.

14. Kaiser Broadcasting, the Association of Maximum Service Telecasters (MST), NAB, and ABC request reconsideration of the rule that allows for substitution of programs of greater length than the program that is blacked out and of the rule permitting deletion of programs of local interest to the distant communities. With respect to the first, it is argued that the removal of a distant signal from a cable system for any period longer than necessary to provide exclusivity lessens the opportunity for the distant station to obtain identity and viewer acceptance in the cable community and is inconsistent with the industry consensus agreement. With respect to substituting for programs that are primarily of local interest, it is argued that the rule (Section 76.61(b)(2)(ii)) is internally inconsistent with other cable television policy, e.g., the leapfrogging provisions of the Rules and Section 76.55(b) which concerns carriage of programs in full without deletion or alteration except as otherwise required. It is submitted that the rule encourages distant stations not to broadcast local news and public affairs programs and that the cable operator will have discretion to make judgments about programming that he has not seen—perhaps deleting programming of relevance or of interest to subscribers in the cable community. As a further matter, NAB and Kaiser state that because many stations may wish to participate in the benefits of carriage, a cable system is in a position to "auction" its channels to the distant stations that are the highest bidders—resulting in profit to the cable sys-

tem but not necessarily furthering the Commission's public interest goals. It is requested that the Commission amend its rules to prohibit a cable system from extracting payment from a distant station as consideration for carriage of the station's signal.

15. In resolving these questions, it is useful to focus on our statement at Paragraph 62 of the *Cable Television Report and Order*

> In the August 5 Letter these [distant] signals were, in effect, channels of independent programming (conceivably a blend of several distant stations); now they are restricted to specific distant stations except during exclusivity protection periods.

The change referred to above was one that grew out of the Consensus Agreement. See *Cable Television Report and Order* at Paragraphs 61–67 and Appendix D. Although the rule adopted is different from the August 5 formulation, we have determined that it is in the public interest to adopt the rule in order, *inter alia*, to implement the Consensus Agreement. While less diversity may result than under the cherry picking concept, cable systems will be able to select programming when blacking out protected programs. The rule also offers broadcasters carriage on a more uniform basis than if cherry picking were allowed and thus a more saleable commodity to advertisers—particularly when a station is carried near its home market. Admittedly, the benefit of carriage on a distant cable system is diminished by the rules requiring that syndicated programs be protected. Because distant signals will be blacked out from time to time, carriage of a signal is probably of less value than it would have been in the absence of exclusivity protection. On balance, exclusivity protection is probably of greater advantage to broadcasters than is carriage in distant markets, but carriage on a fairly regular basis should in some measure be of benefit to broadcasters.

16. We have carefully considered the need to give cable systems the full benefit of carriage of distant signals, the promotion of broadcast stations, particularly UHF, through fairly regular carriage, and the provision of new diversity to the viewing public. We have balanced these considerations with the factor that we have limited cable in all television market zones to one or two and at the most three distant signals and the requirement in the major markets for considerable exclusivity protection. Consequently, we have adopted two rules that do afford some flexibility to program signals. First, where a distant station is televising a program that is primarily of interest to its own community, e.g., local news, public affairs, or other locally produced programs, the cable system may delete such programs from the distant signal and insert others. Second, when substituting for blacked out programs—either to provide protection for syndicated programs or because they are primarily of local interest—the cable system may insert any non-protected program and carry it to its completion. We believe it necessary that cable systems have flexibility in finding substitute programs that are not protected when exclusivity protection is given to a local station. It will often be difficult to find substitute programs, and the inability to carry a program that is no longer than the one being blacked out will mean, in many instances, that no programs

will be available or that subscribers will be given the opportunity to watch only portions of programs.

17. With regard to substitutions on distant signals in place of programs that are primarily of local interest in the distant community, we believe this too will provide greater diversity to the public. Our rule does not, however, give cable systems wide discretion not to carry programming from regularly carried distant stations. The programming in question involves such fare as a local newscast or a locally produced program dealing with a local issue. It makes little sense to require that a cable system bring to its subscribers news and public affairs coverage of matters of interest to distant communities. Nor are broadcasters likely to curtail local news and public service programs merely because such programs might not be carried in distant markets. This kind of programming is a critical part of a commitment to serve local viewers, not distant ones. Finally, our rule permitting substitution for local interest programs is not inconsistent with Section 76.55 (b) which prohibits deletion or alteration "*except as otherwise required*" and, by implication, whenever permitted. In operating under this provision of the rules we will expect cable operators to exercise care so that the intended purpose of the rules is not subverted. Should abuses develop we will be prepared to take another look at this provision.

18. As with all rules designed to balance competing interests, there will be unusual circumstances that do not fit the rule. Section 76.7 preserves the Commission's flexibility to deal with these situations. So, for example, in certain areas of the country, carriage of syndicated programming from full or partial network stations instead of from independents might be indicated because of inordinate costs involved in obtaining independent signals. In the event such a system later obtains independent distant signals, it could only do so in accordance with the rules and may have to delete carriage of syndicated programs from network stations.

19. Cable interests have urged that we permit carriage of network programs from distant stations when those programs are not broadcast by local network affiliates. We find merit in this suggestion and will amend the rules accordingly. One of our goals in this proceeding, with which there has been little basic disagreement, has been to assure that all cable subscribers have full network service available. To the extent that network affiliates of the national networks are not available locally, we have permitted carriage of distant affiliates. (See Sections 76.59(b), 76.61(b) and 76.63.) In line with this policy of assuring the availability of full network service, it appears appropriate to permit carriage of those programs offered by the networks but not cleared by local affiliates.[4] This is of particular importance in those cases where the programs not otherwise available include network news or other

[4] Because there may not be much advance notice of the non-clearance of network programs by local stations and the availability from a distant station and due to the limited number of programs likely to be involved we will not require specific reference to the possibility of such carriage in certificate of compliance applications nor will the leapfrogging rules be applied to such carriage. (Compare Section 76.61(b)(2)(ii) as it refers to carriage of programs substituted for programs deleted under the program exclusivity rules.)

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public affairs programming. In any event, our analysis reveals that primary network affiliates generally carry a high percentage of the programs offered by the networks so that the impact of this rule revision should be limited.

20. Finally, with respect to the passing of consideration from a broadcaster to a cable system in order to be carried as a distant signal, we do not believe that a rule prohibiting such arrangements is now necessary. There was no restriction in our previous rules against entering into such agreements. *Cf.* Paragraph 56 of the *Second Report and Order in Docket 14895*, 2 FCC 2d 725 (1966). And there has been no indication that there have been abuses in this area. In many cases, consideration may properly take the form of payment of microwave costs to carry a signal that a cable system could not otherwise afford. In these circumstances, we find no compelling reason to adopt a rule. We will take any necessary action if abuses develop in this area.

21. *Religious and Other Specially Programmed Stations.* Jerrold Electronics Corp., Athena Communications, Buckeye Cablevision Inc., *et al.*, and NewChannels Corp. request that religious stations and other specially programmed stations be permitted to be carried as distant signals without counting such signals against the applicable distant signal quota.[5] It is argued that religious stations, like non-English language stations, generally attract select small audiences, and will not be carried by cable systems unless an exemption from the distant signal quota is provided. While petitioner's assertions may be true, there is a fundamental difference between the considerations that prompted us to adopt a rule for non-English language stations and those pertaining to religious programming. In the case of the first, local service is available in very few places in the country. But religious programming is generally available both on radio and television broadcast stations throughout the country, and the resulting impact of unlimited carriage is likely to be more pervasive.

22. As to specially programmed stations,[6] petitioners allege that such stations should also be treated outside the confines of distant signal quotas. But the lack of standards by which to measure "specially programmed stations" and the failure of petitioners to demonstrate how the public interest would be served by assuming the risks of greater impact on local stations from widened distribution of the programming of such stations compel rejection of the proposal.

23. *Foreign Language Stations.* The Spanish International Communications Corporation has filed for reconsideration of the rules regarding the importation of foreign language stations.[7] As we noted in the *Cable Television Report and Order* at footnote 50, petitioner requested, following the issuance of our Letter of Intent, that importation from Mexico of Spanish-language stations not be allowed where U.S. Spanish-language programming is available either off the air or potentially available via microwave. The petition for reconsideration

[5] Oppositions were filed by Connecticut Television, Inc. and MST.

[6] Petitioners state, for example, that KWHY–TV "provides highly specialized financial programming including stock market ticker service over substantial portions of its broadcast day."

[7] Opposition petitions were filed by Trans Video Corporation and Sammons Communications, Inc.

restates that request. But we considered the request in finalizing the rules and see no reason to alter our view. We are attempting to encourage the carriage of foreign language programming. Where there is a local Spanish-language station, it will of course get carriage priority. But outside its own market, where there is no "right" of carriage and no special need for protection against other stations programmed in the same language, it is in the public interest to make foreign language programming available without impediment. In unusual situations where a domestic Spanish-language station makes a compelling demonstration for relief with respect to a particular application, we can afford such relief under Section 76.7. This should serve to maintain the vitality of local foreign language services without general restrictions on the right of cable systems to distribute the programming of foreign stations.

24. *Leapfrogging.* MST contends that neither the Letter of Intent nor the Consensus Agreement addressed leapfrogging in areas beyond the 35-mile zones of television stations and that the rationale for leapfrogging supports the imposition of restrictions in areas outside such zones. KFIZ Broadcasting Company seeks modification of the leapfrogging rules so that independent UHF stations would be required to be carried as a first priority by cable systems within those portions of the Grade B contours of such stations where carriage is otherwise not now required. NewChannels Corporation, Athena Communications, Jerrold Electronics Corporation and Buckeye Cablevision, *et al.* request reconsideration of the leapfrogging rules in two respects: (1) it is submitted that the leapfrogging rules should not apply to smaller markets because cable systems in those markets are limited to only one independent distant signal; (2) it is also urged that the Commission's rule that contemplates no waiving of the leapfrogging rule for independent stations is inequitable. Nevada Independent Broadcasting Corporation (NIB), in a Motion for Stay, states that our leapfrogging rule will permit vast expansion of four Los Angeles independent television stations throughout the West and will thus engender the birth of superstations.[8] NIB asserts that all pending microwave requests will be granted because of the procedural rules adopted by the Commission. This, it is asserted, will be to the detriment of NIB because spot advertising will now go to the Los Angeles independents to reach areas via cable that small market broadcasters could serve instead.

25. Our treatment of the leapfrogging question is based on the following factors: First, we thought it desirable to move away from the limits of our 1968 proposal because it did not provide enough flexibility to cable operators, with the result that the Commission was inundated with requests for waiver filed pursuant to our interim processing procedures. Second, we were concerned that permitting the greatest possible choice could lead to the selection of stations from only a few of the largest markets, thereby foreclosing any benefit of cable carriage to many stations. We believe that the Consensus Agreement provides a sound resolution of these two considerations. The implementation of the leapfrogging restriction in *all* markets is necessary to insure that

[8] Pursuant to *Memorandum Opinion and Order*, 34 FCC 2d 165 (1972), we are treating the merits of petitioner's motion for stay as a petition for reconsideration.

the benefits of carriage are more evenly distributed. In doing so, there is no need to require the restriction in areas outside television markets where it would just be an unnecessary restriction because the risk of impact on local broadcast service from carriage of distant signals is diminished. The rule adopted strikes the appropriate balance, and we reassert that we do not contemplate its waiver. We do not intend to return to the process whereby waiver is requested in case after case because of microwave savings; to do so would undermine the leapfrogging rule. But we are not unmindful of the need for relief in unusual circumstances, *Sun Cable T–V*, 27 FCC 2d 261 (1971), and will respond accordingly. See *United States* v. *Storer Broadcasting Co.*, 351 U.S. 192.

26. With respect to the petition for reconsideration filed by KFIZ, it should be noted that for reasons discussed above and in the *Cable Television Report and Order*, we have changed our leapfrogging rule from the formulation in our Letter of Intent. The UHF priority is now third rather than first. We believe that in most situations the provision of syndicated programming protection more than offsets this change. And we expect that there will be significant carriage of UHF stations under the first two priorities. It appears that petitioner's circumstance in the Fond du Lac market may be an unusual one more appropriately to be dealt with in individual proceedings involving that market rather than in this rulemaking proceeding.

27. Finally, we believe that the contentions of NIB are also without merit. NIB is the licensee of Television Station KVVU, Henderson, Nevada. Because Henderson is in a smaller market area that already has available locally three network stations and an independent station, the rules do not permit the importation of any additional English language commercial television stations. See Section 76.59 of the rules and Paragraph 48 infra. At least with respect to this market, NIB is therefore incorrect that national spot advertising dollars will be drawn away from it to the Los Angeles independent stations. Additionally, the rules are designed to place as few impediments as possible on the carriage of stations such as KVVU so that it may compete for cable carriage. It is entitled, on request, to carriage on cable systems within its Grade B contour and in those areas where it is significantly viewed and its carriage is not proscribed to any degree by the leapfrogging rules. Finally, it is not correct that microwave applications involving carriage of Los Angeles signals are automatically granted under our new rules, nor are oppositions to these proposals rendered moot. See our decision denying NIB's Motion for Stay, 34 FCC 2d 165 (1972).

28. *Network Program Exclusivity.* The central issue relating to network program exclusivity in the reconsideration petitions is whether such exclusivity should be simultaneous only, or same-day, as in former Section 74.1103. A number of smaller market television stations, including KBOI–TV, Boise, Idaho, KOAI, Flagstaff, Arizona, and KID–TV, Idaho Falls, Idaho, argue that same-day protection is the minimum necessary to maintain their audiences from serious fractionalization and advertiser by-pass in favor of imported distant signals that will not be blacked out because their programs are not

simultaneously duplicated by the smaller market stations. The inadequacies of simultaneous exclusivity are allegedly most severe in the Mountain Standard Time Zone where, the Rocky Mountain Broadcasting Association argues, a combination of lack of direct network feeds and the common practices of "bicycling" network programs or taping a network feed and replaying it on a delayed basis works the result that a significant amount of network programming is not simultaneously duplicated. Petitioners maintain that network stations located within the Mountain Standard Zone do not even have uniform or near-uniform schedules among themselves, and that simultaneous-only protection will force these stations into identical programming schedules, contrary to the public interest. Springfield Television, Inc. and Mid-Continent Telecasting, Inc. assert that simultaneous exclusivity provides insufficient protection in the Central Standard Zone as well, and urge that Section 76.93(b) be amended to provide automatic same-day exclusivity whenever any smaller market network stations and a network station licensed to a community in a different time zone are carried by a cable system. They further argue that the special relief provisions of Section 76.7 will be too cumbersome, costly, and time-consuming as an *ad hoc* alternative to amending the rules.

29. The Commission recognized in the *Second Report and Order in Docket 15971*, that "Simultaneous nonduplication protects the bulk of the popular network programming of most network affiliates . . ." and indicated that although it was adopting a same-day exclusivity rule, it would continue to give full effect to private agreements between cable operators and local television stations that provided for a different degree of protection for local stations, such as simultaneous-only exclusivity. In adjudicatory proceedings the Commission also concluded that simultaneous exclusivity could provide adequate protection to local stations. E.g., *Black Hills Video Corp.*, FCC 65–989, 1 FCC 2d 1458; *Hardin Cable TV, Inc.*, FCC 69–1098, 20 FCC 2d 56. We have set forth in Paragraph 99 of the *Cable Television Report and Order* the reasons for now adopting simultaneous exclusivity rules. Except with respect to that situation peculiar to stations operating in the Mountain Standard Time Zone we reaffirm our view that simultaneous exclusivity affords adequate protection to network stations and appropriately balances the interest of local stations in not having their programming duplicated by lower priority stations and that of cable subscribers in such time diversity as may be available from different network stations. However, with respect to the concerns expressed regarding operation of the rule in situations where there are time zone problems, we believe some change is in order. In the Rules (Section 76.93(b)), we recognized that simultaneous network exclusivity might not afford adequate protection to stations involved in certain time zone situations. The rules provided for attention to such problems on petition for special relief by stations involved. On further consideration, it appears that the problem involves stations in the Mountain Standard Time Zone almost entirely and that there is sufficient similarity in situations throughout that zone to permit the adoption of a general rule for this area. Briefly, it appears that stations in this zone follow no uniform network program distribution pattern

because prime time viewing hours in the zone do not coincide with the network feed of prime time programs. To correct this situation some stations in the area tape and replay network programs out of sequence. The result is that the simultaneous exclusivity rule is not effective to protect a station's network programming. Accordingly, we believe it appropriate to modify the rule as it applies to stations in the Mountain Standard Time Zone. The action we take will essentially shift the burden of seeking relief from the general rule in time zone situations from stations in the zone to cable operators. We will amend the rules to provide that stations licensed to communities in the Mountain Standard Time Zone, if they are not licensed to communities in the first fifty major television markets, will be entitled as a general rule to same day network program exclusivity. Stations licensed to the first fifty market cities in the zone, other stations outside the zone, and cable operators providing exclusivity to stations within the zone will then have the burden under Section 76.7 of the rules of seeking waiver of the general requirement if it is thought either to provide insufficient protection or to be unduly restrictive.[9]

30. In the event the Commission is not disposed to restore same-day exclusivity for all programming, MST and ABC argue that it should at least apply to network news, especially where a local station is broadcasting the network feed "live". In a similar vein, Dunhamel Broadcasting Enterprises argues that stations that carry any network feed "live" should be entitled to same-day exclusivity for the "live" programming. But, other petitioners point out, the Commission encourages scheduling flexibility, particularly in a program area such as news where maximizing the choice of viewing hours helps insure that the public will be able conveniently to view programs of key interest. Cable may be able to contribute to "time diversity" in the news area. Hence, we decline to adopt special exclusivity for programming merely because it is taken directly from a network feed, or to provide special protection for network news.

31. The National Association of Educational Broadcasters argues that, regardless of the degree of exclusivity given to commercial stations, noncommercial educational network programming should be accorded same-day exclusivity in view of its deemphasis of simultaneous broadcasts. Although the need for additional exclusivity is a matter that might appropriately be raised in connection with certificate of compliance applications proposing carriage of distant educational stations, we do not see the need for a general rule revision. To the extent feasible, we think it desirable to permit the time diversity of programming that carriage of more than one educational station makes possible under the simultaneous exclusivity rule.

32. WBEN, Inc., Taft Broadcasting Company, and Capital Cities Broadcasting Corporation propose that the exclusivity rules be amended to prohibit a cable system from carrying network programs broadcast by foreign stations at any time prior to their first domestic broadcast. A similar argument was made in petitions filed in connec-

[9] Petitions filed pursuant to Section 76.93(b) will be dismissed as moot, unless, within 60 days of the publication of this document in the federal register, they are supplemented to demonstrate their continued relevance.

tion with the reconsideration of the *Second Report and Order in Docket 14895*. At that time, the Commission rejected the suggestion and indicated that special treatment would be accorded petitions seeking relief from prereleased programs. *Memorandum Opinion and Order in Docket 14895*, 6 FCC 2d 309, 315–316 (1967). Subsequently, in *Colorcable, Inc.*, 25 FCC 2d 195 (1970), the Commission determined that the prerelease problem was not especially significant and that whatever "problem" existed appeared to be on the verge of elimination. The latest petitions concerning this matter contain no new matter on the extent of the problem, such as how many foreign stations and domestic programs are involved and how widely these stations are carried by cable systems. Lacking such information, we find no basis for amending the rules. Special relief remains available, pursuant to Section 76.7 on appropriate showing of need.

33. Duhamel Broadcasting Enterprises has asked for clarification of the extent of simultaneity that is necessary to qualify for simultaneous exclusivity protection. It envisions instances in which certain programs, such as sports events, may run beyond their schedule, or where stations may delay the start of their taped network programming to read news bulletins or provide special election results. Duhamel suggests that an overlap of 50 percent of the same programming should be sufficient. Although we agree that some allowance should be made for the absence of exact overlap where simultaneous exclusivity is concerned, we believe that a 50 percent overlap is too much, because the television viewer will probably not be able to see the missing 50 percent at any other time. To qualify for simultaneous exclusivity protection, no more than five or ten minutes of a program may be overlooked. If significant omissions of a station's network programming occur frequently, the Commission may grant special relief from the exclusivity requirement to afforded cable systems.

34. Duhamel, KID Broadcasting Corporation, Mid-Continent Telecasting, Inc., and Springfield Television, Inc., urge that, as in syndicated exclusivity, network exclusivity should treat all episodes of a series as a single unit rather than separately. Although it might be simpler administratively for cable operators to be required to delete all episodes of a series instead of only those that are simultaneously duplicated, throughout the history of the program exclusivity rules the Commission has taken the position that application of the rules should not result in the loss of any program content, e.g., *Black Hills Video Corp.*, 1 FCC 2d 1458 (1965). Since the possibility exists that indiscriminate deletion of all episodes of a series might permanently deprive viewers of the opportunity of seeing some (for, with preemptions and other schedule changes, there is no guarantee that every network station will show every episode of a series), we are not making the suggested change in the rules.[10]

35. The Association of Maximum Service Telecasters favors the deletion of Section 76.97 which stays a cable system from having to provide network exclusivity until the Commission rules on any timely

[10] Commission experience with exclusivity notification schedules indicates that many stations and cable systems have apparently agreed to treat series as single units for exclusivity purposes; we will not override these arrangements.

filed waiver request. It argues that a cable operator should be required to seek waiver of the exclusivity rules at the time that it files an application for certificate of compliance and that, if it does not, it should be required to provide exclusivity even before the Commission rules on any waiver request. We cannot accept this approach, for two reasons. First, the waiver provision of Section 76.97 is grounded on the established policy of maintaining the *status quo* while the Commission considers the application of a rule that would require the expenditure of a substantial sum of money to achieve compliance, and petitioner does not explain why we should depart from this policy here. Second, MST assumes that requests for exclusivity protection will only be received when a proposed cable system is about to go into operation, or that every existing cable operator will soon be applying for a certificate of compliance. The fact is that existing systems receive exclusivity requests even years after operations have commenced (particularly where newly licensed stations are involved), that often a new system does not receive any requests for exclusivity until well after it has commenced operations (and, hence, has no need to contemplate exclusivity waiver petitions at the time that it files an application for certificate of compliance), and that many cable operators will not have to obtain certificates of compliance until March 31, 1977 (See Section 76.11(b)). MST fails to explain why an existing system that seeks waiver of a rule should be placed in a less favorable position with respect to the maintenance of the *status quo* during an adjudicatory proceeding than an emergent one. Further, under Section 76.17 broadcasters may raise carriage and exclusivity matters in connection with the certificating process, if they so desire.

36. WBRE–TV, Inc. asks that the rules be amended to indicate that, regardless of the outcome of Dockets 16004 and 18052 (proposed amendments of Part 73 of the Rules concerning field strength measurements and curves for FM and television broadcast stations), in determining the obligations of a cable system to carry or provide program exclusivity to stations, the field strength curves in effect at the time the cable system commenced operations should be utilized. This kind of grandfathering provision is more properly within the scope of Dockets 16004 and 18052, and will not be considered here.

37. Finally, clarification is needed concerning the meaning of Section 76.91(c), which outlines the exclusivity rights of certain significantly viewed television signals. It is important to note that this provision applies only to smaller market signals carried by cable systems located outside of all major and smaller television markets. Secondly, the provision must be viewed in the context of Section 76.91 as a whole. Thus, subsection (c) means only that a significantly viewed smaller marker signal that does not place a Grade B contour over the community of a system located outside of all major and smaller television markets has priority over a non-significantly viewed signal that likewise does not place a Grade B contour over the community of the system—it does not have priority over a non-significantly viewed Grade B signal. Similarly, a significantly viewed smaller market Grade B signal has only equal priority (and, hence, no right to exclusivity) with a non-significantly viewed Grade B signal.

38. *Syndicated Program Exclusivity.* Rust Craft Broadcasting Company, Mid-Continent Telecasting, Inc., Duhammel Broadcasting Enterprises, and RMBA assert that syndicated programming exclusivity should be extended to smaller television markets. It is argued that smaller market stations pay for exclusive rights in their markets and that the rules should protect those rights. Similarly, NAEB states that syndicated program exclusivity should be extended to educational stations. It is alleged that educational stations deserve the same protection as commercial stations for syndicated programs that they purchase. MST states, as its understanding of the Consensus Agreement, that broadcast stations need obtain exclusivity only against other broadcast stations in order to obtain exclusivity against cable systems, but that the rules require exclusivity to be obtained against cable systems as well as against broadcast stations. With respect to procedural matters, MST contends that cable systems should be required to notify broadcasters of their intention to comply or not comply with requests for exclusivity. New-Channels, Athena, Jerrold, Buckeye *et al.*, MST, and Kaiser suggest that the notification process would be made easier if the Commission were to encourage or require television stations to make available to any broadcast station or cable system requesting it, information concerning their program schedules as is regularly made available to advertisers, sales representatives, etc. Kaiser alleges that this information, especially with respect to feature films, is generally available two weeks or more before the scheduled broadcast. MST objects to the requirement that relevant excerpts from program contracts be kept on public file by stations requesting protection for those programs. It is argued that, because stations are Commission licensees, they will not give inappropriate notices, and that stations do not want competitors to obtain information concerning their syndicated program libraries.

39. We have not provided syndicated program exclusivity for smaller market stations and, on reconsideration, are not persuaded to now do so. Distant signal importation in these markets is severely limited—only one distant independent signal may be imported. It may well be that this limitation will impede significant new cable construction in smaller markets. But we have determined that smaller markets can least withstand additional signal importation, and have fashioned our rules accordingly. To add syndicated exclusivity protection would make these markets even less desirable for new cable construction. The primary consideration, however, is whether syndicated program exclusivity is needed in smaller markets. We think it is not. Certainly, it is of only marginal benefit to copyright holders who derive the substantial bulk of their revenues from the top markets. And we believe that network exclusivity will afford sufficient protection to stations in smaller markets. In unusual circumstances, our special relief provisions allow us to provide other relief where appropriate. See, for example, *El Paso Cablevision, Inc.*, 27 FCC 2d 835 (1971).

40. As to educational stations, it does not appear that the absence of additional exclusivity protection will have a significant adverse impact on their operations. And it does not appear to be desirable to curtail the amount of programming available to cable subscribers from

educational stations. Furthermore, we note that the pleadings and comments of educational broadcasters in all our rule making proceedings uniformly asked for simplified procedures for educational stations. Compliance with syndicated program exclusivity notification requirements would involve educational broadcasters with cable systems on a day-to-day basis at considerable expense in time and money.

41. With respect to the type of exclusivity required to be purchased before a broadcast station may claim protection under our rules, we believe there is good reason to require that exclusivity be obtained both against other broadcasts and against cable carriage. The rules in this area are designed to permit copyright holders to distribute programming in particular markets either by broadcast alone or, if they wish, by both broadcast and through cable distant signal carriage. In fact, broadcasters do not now obtain exclusivity against other local stations by FCC fiat; they obtain it by contracting with the copyright owner. The same pattern should obtain with respect to exclusivity against cable distribution of programs. Consequently, our rules also provide exclusivity based upon contractual relationships. Many broadcasters will not desire blanket exclusivity against all systems in their market but only against particular systems. In such cases, broadcasters may be able to obtain programming at less cost than if exclusivity is presumed in the bargained-for price of programming.

42. As to procedural matters, we agree that television stations should endeavor where possible to make their program schedules available to both broadcasters and cable operators at the earliest possible date. We believe that our notification system will work without requiring broadcasters to do more than we have required. We will monitor this situation carefully to see if other rules are required. In any event, we expect that cooperative arrangements will be made between broadcasters, copyright owners, and cable operators to insure the effectiveness of the rules. We are not inclined to accede to MST's request for another round of notifications—this time from cable operators to broadcasters as to compliance with exclusivity requests. It is sufficient that cable operators will have to keep records of programs carried on distant signals. We did not require counter-notifications under our former exclusivity rules. We expect and are assuming that there will be good faith on the part of broadcasters and cable operators. To a real extent, the whole area of program exclusivity will work only if there is good faith. We will be alert to the development of abuse on either side, and are prepared to take action where necessary. Finally, we do not question that licensees of this Commission will obey our rules. But we are retaining the requirement that broadcast stations maintain for inspection pertinent excerpts, from their contracts covering programs for which they seek protection. We believe that in order for our syndicated exclusivity rules to work effectively, cable operators, applicants for franchises, and others who desire to know what programming will be available in a community over a period of time be able to find out. Otherwise, investments in cable, program planning, resolution of disputes concerning exclusivity and, most importantly, the rights and obligations under exclusivity contracts could not be readily determined.

43. *Logging.* Comments on our logging requirements, Section 76.305, were filed by MST, RMBA, NewChannels Corp., Jerrold Electronics Corporation, Buckeye Cablevision, Inc., *et al.*, and Athena Communications Corporation. The broadcasting associations argued that the logging requirements should be extended to all markets and for all signals. The cable operators asked for clarification of the rules.

44. The purpose of the logging rules is to assure that our new syndicated program exclusivity rules, which depend on many complex factors, are properly carried out. We stated in Paragraph 106 of the *Cable Television Report and Order* that logging would be required of distant signals carried and the programs offered on those signals. Those are the only signals that are affected by the new syndicated exclusivity rules. Because signals carried prior to March 31, 1972, are not subject to the syndicated program exclusivity rules, they do not fall into the group of signals for which logs are needed. As to the argument that logging should be required of systems that are not located in major markets, this seems to be an unnecessary burden since the syndicated program exclusivity rules do not extend to those markets. MST states that a general logging requirement would assist in assuring compliance with the network exclusivity rules. The network exclusivity rules have been in force in some form for at least five years, and compliance has been secured without the added burden of logging. We see no reason for adding that burden now.

45. *Markets.* RMBA, Rust Craft, KID Broadcasting, KOAI (TV), Mid-Continent Broadcasting, Bi-States Company, Springfield Television, Inc., KMSO–TV, Duhammel Broadcasting, Boise Valley Broadcasting, and others seek reconsideration of our rule that limits smaller television markets to a zone of 35-mile radius. Athena Communications, Buckeye Cablevision, Colony Communications, Cox Cable Communications, Jerrold Electronics, NewChannels Corporation and Sammons Communications filed oppositions to the requests for expanding the size of the zone.

46. The broadcasters restate the position that they have maintained throughout these proceedings—that a 35-mile zone is inadequate for smaller market stations located in the Rocky Mountain area. Generally, the broadcasters desire a zone coterminous with a station's Grade B contours. The effect of such a rule would be to limit distant signal importation to one independent signal throughout the Grade B contour instead of within a zone of 35-miles. Other suggestions were that the zone encompass Grade A contours or a station's Area of Dominant Influence (ADI). It is alleged that the Rocky Mountain stations place Grade B contours ranging from 85 to 100 miles, that transmitter locations are often at a considerable distance from station locations, and that the 35-mile zone will not include a large percentage of the area within 35 miles of the station transmitter. The argument is made that the Rocky Mountain stations depend on audience and revenues from areas beyond the 35-mile zone, that in some cases nearly half the homes reached are beyond the zone, that substantial portions of a station's local advertising revenues come from areas outside the zone, and that stations must look to the entire Grade B contour for homes served on

which to base network and advertiser support, both national and local, because advertisers purchase *total* audience.

47. The question of size of zones was examined at great length and perhaps in more depth than any other issue in this rulemaking proceeding. In determining that a zone of 35 miles would be appropriate in the Rocky Mountain area, we did our own independent analysis of this area of the country. We considered:

1. Station revenues.
2. Station rate cards.
3. Cable penetration within 35-mile zones.
4. Cable penetration outside 35-mile zones.
5. The number and size of cities where additional cable penetration is likely to occur.
6. The difference between the Rocky Mountain area and other areas of the country where there are smaller market stations.
7. The possibility of local advertising being directed away from local stations because of distant signal competition.
8. The practices of national advertisers with respect to the Rocky Mountain stations.
9. The interrelationships of all the above with our new rules concerning signal carriage, program exclusivity, leapfrogging, and grandfathering.

In considering these matters, there are obviously no definitive answers. Necessarily, we are left to judgments—with estimates as to future effects. But based on the above considerations and the experience of years of cable development in these areas, we concluded that the 35-mile zone was appropriate. The petitions for reconsideration add no new information to that which we have previously considered. And in our deliberations based, in part, on information received from the Rocky Mountain stations, we could not find deleterious effect from cable operations on the ability of Rocky Mountain stations to obtain local or national advertising. The Commission is concerned that the Rocky Mountain stations not be harmed in their ability to serve the public by virtue of the adoption of the new rules. However, a case for changing the size of the zone has not been made. We emphasize again our high interest in this matter and our intention to keep abreast of developments as cable expands. As stated in the *Cable Television Report and Order* at Paragraph 91:

> New cable systems must give notice before commencing operations, and broadcasters—with knowledge of their own situations—will thus have a full opportunity to make a case for additional relief. We will give these showings most careful scrutiny. Additionally, we will undertake our own in-depth analysis where the desirability of such study is indicated. The essential consideration is not the extent of cable penetration or audience fragmentation per se but rather a demonstration of the effect of cable operation on station revenues and profits and on their ability to serve the public interest. We intend to keep a close watch on future developments in the Rocky Mountain and other regions involving smaller station operations—in rural areas generally—and have directed our staff to prepare reports annually. We will be alert to any emerging trend and in position to adjust our program accordingly.

48. In some markets, the rules may foreclose cable entirely—e.g., a smaller market where one independent station already exists, as in Las

Vegas, Nevada.[11] Because smaller markets with independent service are likely to be the most vulnerable to distant signal impact, we do not believe that we can make a determination that as a general matter distant signal carriage should be permitted in such circumstances.

49. Several petitions for reconsideration were directed toward the applicability of the rules to specific markets and the need for special relief in those markets. See, for example, petitions of WHYN–TV, KID–TV, KFIZ, WKNX, and KNOI–TV. Although the claims made in these petitions may be meritorious, we do not believe that it would be appropriate to deal with them in this rulemaking proceeding. We have established procedures for obtaining special relief. See Section 76.7 of the Rules. In connection with the certificating procedure or upon appropriate petition, we will examine all such claims and the responses to them. It would be unfair to make, at this time, *ex parte* determinations of whether special relief will be given with respect to each or any of these markets. Any petitions for reconsideration that referred to particular markets may subsequently be incorporated by reference into pleadings filed in connection with cable certificating or special relief proceedings.

50. *Significant Viewing.* The rules contain a number of sections permitting or requiring carriage of signals meeting a defined viewing level. Viewing at the required level (3% share of audience and 25% net weekly circulation for network stations, and 2% share and 5% NWC for independent stations) may be established either by reference to a county-by-county list published as attachment B to the *Cable Television Report and Order* (§ 76.54(a)) or by the use of individual surveys in accordance with specified requirements (§ 76.54(b)). Showings of the latter type may only be submitted after March 31, 1973 for the purpose of showing that signals not included in Appendix B are significantly viewed.

51. Reconsideration of these rules is sought by a number of parties, including MST, NAB, Hubbard Broadcasting, Poole Broadcasting, Mahoning Valley Cablevision, Capital Cities Broadcasting, New-Channels, Jerrold Electronics, and Buckeye Cablevision *et al.* Comments of the National Cable Television Association are included in an opposition petition. In general, the petitions are directed not to the viewing levels adopted as "significant" but to the procedures adopted for demonstrating that individual signals meet the test.

52. A number of petitions filed on behalf of broadcast interests question the use of county-by-county survey data. It is said that the use of county-wide data fails to sufficiently account for differences in viewing within counties and that the American Research Bureau (ARB) data may not provide a sufficiently reliable indication of actual viewing. Thus, it is argued, the data from ARB should be used only as indicative of viewing and should be subject to challenge based on further surveys.

53. In the *Cable Television Report and Order*, Paragraph 95, we acknowledged that county-wide data might "not account for viewing levels among communities within the county" and that the survey data

[11] See petitions of Diversified Communication Investors, Inc. and Community Cable TV.

might have other drawbacks "such as rounding of percentages and sampling errors." We nevertheless determined that these disadvantages were outweighed by the desirability of certainty and were not of sufficient magnitude to preclude use of the data to cure a signal carriage problem where an uncertain standard and the possibility of protracted hearings had created years of uncertainty for both broadcasters and cable operators. The course petitioners ask us to take would completely defeat our goal of providing certainty, with no significant public benefits. In addition to the desirability of certainty there are a number of other factors that should be noted in considering the desirability and equity of the rule adopted. Initially, as we noted in the *Report and Order*, Paragraph 85, data of the type used here has been commonly used by advertisers and broadcasters without the fine distinctions between communities within counties which it is here suggested that we make. In the course of filing comments and economic studies in this proceeding, county-wide data obtained from the American Research Bureau was frequently used. And, when consideration was given by the Commission to a rule of this type, and viewing levels were selected, county-wide data was again used and consideration was given to patterns of carriage that would develop from the various tests of viewing under consideration.[12] Thus, in developing the rule, judgments as to what level of viewing is appropriate under the rule, what proof will be accepted as showing compliance with the rule, and as to impact on broadcast service have become intertwined. It would not, therefore, be appropriate to reconsider the standard for showing compliance without also reconsidering the levels that have been established. We see no reason to do that. The effort to more finely tune the information we have initially used to establish viewing levels through a process of survey and counter survey would, we believe, lead to continuing and pointless disputes about questions more subtle than the whole of our regulatory program is designed to deal with. As noted in the *Report and Order*, Paragraph 84, the significant viewing levels adopted could reasonably have been drawn at several points. Recognizing that the selection was at best a choice among reasonable alternatives, we do not believe that there would be any point now in encouraging quibbles over fractions of percentages if a method is available for establishing a clear dividing line. The rule adopted establishes such a line and we see no public interest reason for altering the rule and adopting a procedure that would result in extended controversy and would not produce results of any greater decisional significance.

54. Some petitioners have questioned the reliability of the significant viewing list attached as Appendix B to the *Cable Television Report and Order* on the grounds that it reflected, to some extent, viewing by cable subscribers rather than just off-the-air viewers. Since publishing that list we have further refined it to more accurately reflect off-

[12] The final levels selected were conservative. As our deliberations in this proceeding progressed a number of alternative resolutions to the overlapping market (or footnote 69) problem were considered. Thus, use of 60 mile zones, Grade B and Grade A contours were considered. Later the significant viewing concept was developed and was successively altered from a test involving share *or* net weekly circulation to share *and* net weekly circulation and finally, after the consensus agreement, the test for independent stations was changed from a one percent to a two percent share. At each tightening of the standard we looked at the resulting carriage patterns in the major markets.

the-air viewing patterns throughout the country and that revised list is attached hereto as Appendix B.

55. The original survey from which Appendix B was developed included cable viewing in counties that ARB estimated to have less than ten percent cable penetration.[13] In order to improve the accuracy of the list and eliminate all effects of cable viewing, we ordered a second study from ARB that eliminated all cable viewing so that only off-the-air viewing is reflected in our new data. The new study obtained included two (November, 1970 and February/March 1971) of the three survey periods used in the original study.[14] We have retained the data from the original ARB study for those counties that were cablecontrolled and for those counties where there was, in fact, no cable. In determining the presence of cable we compared ARB's controls with that of trade publications in information derived from our own reporting forms. With respect to signals subject to required carriage, we have retained the original list.

56. Where cable is present but was not controlled by ARB in its original study and where there is a discrepancy between the two ARB studies, we have taken the following steps:

(1) Where a signal, present in the first study, did not appear in the second study, we have deleted it from the list of significantly viewed signals.

(2) Where a signal not present in the first study appears in the second study we did not add the signal to the list of those significantly viewed.

(3) In those few counties where cable penetration was so great (90% or more) or where adequate data was not available, we have excluded such counties from our list.

(4) Whenever the procedures discussed above were implemented we have removed the one-year moratorium on surveys for particular communities. Such counties are denoted by an asterisk on the revised Appendix B.

57. In following this procedure we have eliminated all distortions in the original list that might have resulted from cable rather than over-the-air viewing and, we believe, have significantly improved the accuracy of the original list. No signals were added to the list even if the second survey showed that they had met the significant viewing test. We have proceeded cautiously in this area and will permit carriage of these signals under the significant viewing rules only upon individual showings. Although some additional audience surveying may be required by private parties in those counties where there have been deletions, we do not expect that there will be many disputes raised by this requirement. Many of the counties involved are not within the zone of any station and cable systems there will be in a position to carry the signals in question under other provisions of the rules without regard to whether or not they are significantly viewed.

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[13] The original data obtained from ARB was used because it appeared to be the only form in which the viewing information was available and with the expectation that cable penetration of less than ten percent would not significantly alter the results.

[14] Information for the third survey period (May 1970) was not available from ARB because the computer tapes for that survey period had been erased.

58. The use of a significant viewing test beyond the predicted Grade B contour of a station has also been objected to, but we think without good cause. It is clearly not uncommon for stations to have audience beyond their Grade B contour, and if this is the case, the rationale for using the viewing test is applicable regardless of the location of the station's contour. Mahoning Valley Cablevision requests that three signals from the Cleveland-Lorain-Akron market be included as significantly viewed in Trumbull County, Ohio which is in the Youngstown market. The only rationale urged for doing so is the fact that the three signals are of Grade B quality in the cable communities involved, are UHF, and are needed to "get cable moving" in Trumbull County. Without any showing as to the actual audience of these stations it would be inconsistent with the regulatory program to take the requested action.

59. Several cable television parties, as well as Hubbard Broadcasting, licensee of independent UHF television station WTOG, St. Petersburg, Florida, urge changes in Section 76.54(b) of the Rules. This Section establishes a procedure for taking individual community surveys to show what signals meet the significant viewing test. The cable parties request that we permit such individual surveys prior to March 31, 1973, so that investments may be made during the coming year with certainty and stations that have come on the air following the 1971 ARB survey are not deprived of carriage during the year. Hubbard contends that the one-year moratorium on filings in conjunction with the prescribed survey methodology cuts it off from areas which it has considered to be part of its market (specifically Charlotte and Highland counties). It is requested that we waive the one-year moratorium where ARB's initial survey fails to comply with the survey standards set forth in Section 76.54(b), permit the use of non-diary type surveys, and permit the use of county-wide rather than community by community surveys.

60. The moratorium on surveys to demonstrate additional signals significantly viewed was generated by a desire to lend certainty to the certificating process during the early stage of our new program. We are adhering to it because we are persuaded that to do otherwise would result in a clogging of processing lines over the disputes certain to arise from the taking of special surveys. After March 31, 1973, we will undertake the task of receiving such surveys and the countering evidence likely to be offered. We see no reason, however, to permit surveys of this type to be made on a county-wide basis. There is a basic difference between this kind of survey and that which formed the basis for Appendix B. The purpose of the list in Appendix B is to establish with certainty a base of signals meeting the test, based on information commonly used by the television industry. Community by community viewing data is simply not now available. Additional signals may also be shown after March 31, 1972 to meet the test, but we have established certain standards that have to be followed in taking individual surveys, so that survey methods, survey times, etc. are not keyed to produce only the desired results and so that numerous surveys are not taken with the hope that through random variations a favorable sample and result are finally achieved. We see no reason not also to require

that the required viewing level is attained in the cable community in question where the showing is in support of a specific application.

61. Hubbard's final point concerns the type of study that may be presented under Section 76.54(b). The point is made that if we rule out telephone-type surveys we will deprive stations of the opportunity to use a survey mechanism that is far less expensive than the meter or diary survey that would otherwise be required. Our concern in this area is that we have some reasonable assurance that the survey information presented to us has not been manipulated to produce the desired results. To assure this, we have specified a desirable degree of accuracy (one standard error above the required viewing level), when surveys may be taken (during two weekly periods separated by at least thirty days, but no more than one of which shall be a week between the months of April and September), and that the survey be taken by an independent professional survey organization. Within these limits any reliable survey method may be used. While we do not think it appropriate at this time to amend the rules to accommodate particular survey methods, we do not exclude the possibility that, with proper foundation, the telephone survey method proposed by Hubbard can be used.

62. MST raises a further question concerning how we will administer Section 76.54(b) of the rules so that parties objecting to carriage will have an opportunity to complete and submit their own survey information. In the *Cable Television Report and Order*, Paragraph 86, we suggested that parties taking individual surveys under this provision of the rules inform other interested parties that a survey was to be made and of the methodology to be used so that questions about methodology could be raised and possibly resolved prior to the survey taking place. We now think it appropriate, based on the concerns expressed by MST, to adopt this suggestion as a rule. Accordingly, we will amend Section 76.54(b) to require: (1) notice at least 30 days prior to the initial survey period to all television station licensees and permittees placing a predicted Grade B contour over the cable community and to all cable television systems, franchisees and franchise applicants, that a survey is being undertaken, the identity of the survey organization taking the survey, and the procedure to be used in the survey, and (2) that objections to survey organizations or procedures be made within 20 days after receipt of such notice to the party undertaking the survey. By following this procedure it should be possible to resolve questions concerning surveys at a point when there is still time to correct problems that are found to exist. Additionally, this procedure will provide an opportunity for counter surveys, where appropriate, to be undertaken.

63. Finally, concern has been expressed that, as viewing patterns change, systems may make individual surveys and add additional signals without deleting signals that no longer meet the significant viewing test. This is a matter which we think may warrant our further attention in the certificating process if it appears that signals are being added to systems simply through random fluctuations in survey information. But the issue is not one we are prepared to settle simply by requiring substitutions in every instance. First, we have set

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our sample probability test high to avoid problems of this type (see Paragraph 86 of the *Cable Television Report and Order*) and it is therefore not likely that there will be many instances of this occurring. Second, the rules not only permit surveys and carriage by cable systems but it also entitles broadcasters to take surveys and request carriage. In some reconsideration petitions concern has been expressed by broadcasters with the difficulty they may have in obtaining carriage under these rules, especially if they are new stations or have recently improved their facilities or programming.[15] In these circumstances it would not be appropriate to set conditions automatically discouraging carriage or act to penalize cable systems seeking carriage of such stations by forcing a choice between deletion of stations to which subscribers have become accustomed and the addition of stations whose off-the-air audience has improved. Thus, while we do not anticipate problems in this area, if problems do arise they can best be considered in individual proceedings.

64. *Grandfathering.* Jerrold Electronics Corporation, Athena Communications Corporation, NewChannels Corporation, and Buckeye Cablevision *et al.* request reconsideration of the grandfathering rule which exempts cable systems operational as of March 31, 1972, from compliance with the syndicated exclusivity rules, but does not do so for non-operational systems authorized to carry signals prior to that date. Petitioners state that there is no reason why this distinction should be made. KID Broadcasting Corporation, MST, The Rocky Mountain Broadcasters Association, Duhamel Broadcasting Enterprises, Grand Canyon Television Company, WGAL Television, Inc., Stainless, Incorporated, Bi-States Company, the NAB, and WBRE–TV filed comments concerning the grandfathering date and the applicability of grandfathering to program exclusivity. The broadcasters argue that the grandfathering date should not be March 31, 1972, but some earlier date.[16] It is stated that cable systems built in recent years were constructed during a period when the Commission was studying cable television and with the awareness that the Commission might adopt limitations on cable operations in smaller markets. It is alleged that the grandfathering provisions are inconsistent with the Consensus Agreement and with previous Commission statements concerning grandfathering. And it is submitted that there has been a large number of Section 74.1105 notifications mailed to broadcasters since the adoption of the new rules and that these should confer no grandfathering rights. MST states that an authorization pursuant to Section 74.1105 "is not really an authorization at all." As to the grandfathering provisions for program exclusivity, the Rocky Mountain Broadcasters Association urges that all smaller market stations that were receiving same-day exclusivity on August 5, 1971, should continue to receive it. WBRE–TV, Inc. and WGAL Television, Inc. argue that the new Rules eliminate the same-day, non-network exclusivity rights that

[15] See for example petitions filed by Hubbard Broadcasting and Rust Craft Broadcasting.

[16] Suggested dates range from August 5, 1971 (date of the Letter of Intent), to February 12, 1972 (date of publication of the rules in the Federal Register), with several suggestions in between those two dates. KID Broadcasting suggests that distant signals on existing cable systems in smaller markets be deleted, one per year, until the system conforms to the 3 network-1 independent formulation of Section 76.39 of the Rules.

stations could receive under former Section 74.1103, as well as preclude any station from receiving syndicated exclusivity pursuant to Section 76.151 if it is carried by new systems located outside of all major markets.

65. Grandfathering is essentially a balancing process. A line must be drawn somewhere. And wherever it is drawn there will be parties affected by the decision that would prefer the line to be drawn somewhere else. In establishing the cut-off date, we selected March 31, so that all rights of parties affected by the rule would vest or divest on the same day. This is not an inappropriate date because our former rules were in force until the effective date of the new rules.

66. With respect to the Consensus Agreement and the Section 74.1105 notifications that have been filed, we believe that our decision in *El Paso Cablevision*, 27 FCC 2d 835 (1971), concerning 74.1105 authorizations, is in point, and we have framed the grandfathering provisions concerning signal carriage accordingly. We have been monitoring the Section 74.1105 notifications recently filed. We note that broadcasters have it in their power to object to any notifications and thereby stay their effect, and that they have generally done so. Most significantly, we have discovered no recently filed notifications for designated cities of major markets that are unopposed, and have found that other notifications have also been opposed. In any event, any notification filed after the end of February, 1972, conferred no rights on cable systems because the effective date of the rules preceded the time for filing objection to the notifications. We have also provided that all such systems must obtain certificates of compliance before commencing operation. Furthermore, any system that may be authorized to carry signals but was not operating on March 31, 1972, will not be grandfathered with respect to syndicated exclusivity protection. We do not believe that such systems should be grandfathered with respect to exclusivity just because the signals are grandfathered. There are systems with approved signals that have not commenced operation for a variety of reasons. We will not disturb signals where rights have vested, even where the system has not gone into operation. There is no upsetting of viewing patterns in insisting on compliance with exclusivity requirements. Nor do we believe that any proposals concerning grandfathering made in Docket 18397 are fundamentally inconsistent with the rule adopted. In any case, we are not required to adopt the exact terms of our original proposal.[17]

67. As explained in Paragraph 29, we adhere to our previous determination that simultaneous program exclusivity effectively protects a network affiliate's network programming; hence, we see no reason to perpetuate, via grandfathering, the extra burdens imposed on cable operators and subscribers by same-day protection. On the other hand, we find merit in the proposal that we restore to stations whose signals were carried by a cable system prior to March 31, 1972, the non-network

[17] The statement concerning grandfathering that appeared in our Letter of Intent was admittedly in error. Among other things it did not purport to grandfather systems commencing operations subsequent to the *Second Report and Order* and prior to our *Notice of Proposed Rule Making in Docket 18397*.

exclusivity rights that they enjoyed under former Section 74.1103, but on a simultaneous-only basis.

ACCESS TO AND USE OF NONBROADCAST CHANNELS

68. *Program Origination.* The American Civil Liberties Union questions our authority and our decision to require cable systems serving 3,500 or more subscribers to originate their own programming and urges common carrier regulations for cable systems.[18] The origination provisions in the *Report and Order* represent a re-codification of our original requirements, with one or two minor changes designed only to eliminate any possible confusion with the new access rules. It seems unnecessary, therefore, to engage in any lengthy reconsideration of the jurisdictional issue again here.

69. With respect to our judgment in requiring origination programming and the question of common carrier regulation, at Paragraph 146 of the *Report and Order* we dealt with these issues stating:

> We have considered these possibilities but feel that it would be premature to adopt either at this time. (See notice in *Docket 18397*, 15 FCC 2d 417 at Paragraph 26 (1968).) At this stage in the development of the cable industry it is the system operator who has the greatest incentive to produce originated material attractive to existing and potential subscribers. We have tried to encourage this origination both through our origination rules (*First Report and Order in Docket 18397*, 20 FCC 2d 201 (1969)) and by structuring the broadcast signal carriage rules to stimulate the development of nonbroadcast services. At the same time, we have recognized that during this developmental stage we should not adopt rules that constrain experimentation and innovation in the services that cable systems provide but, rather, that we should seek to keep our future options open. When cable penetration reaches high levels and demand increases for leased channel operations, we will revisit this matter. For now, we remain of the view that the most appropriate mix for the orderly development of cable and for encouraging the maximization of its potential for public benefit is one that embraces "* * * a multipurpose CATV operation combining carriage of broadcast signals with program origination and common carrier service * * *" (*First Report and Order in Docket 18397*, *supra*, Paragraph 3). The rules adopted here are designed to accomplish that.

We have fully considered the positions urged on us by the ACLU and have explained, as above, why we have elected to proceed as we are. The Union has supplied useful insights into cable's potential. But we remain of the view that it is unwise at this stage to fasten unnecessarily restrictive formulas on the evolution of the new technology. Cable's success is by no means assured in all these large markets with a plethora of broadcast service. The cable entrepreneur should be given appropriate leeway during this critical period of development. The ACLU's approach, which may prove sound eventually, at the present time does not afford the industry the flexibility that we desire to encourage experimentation and innovation. Further, we doubt very much if, in new systems in major markets, a scarcity of access channels will arise from a cable operator's excessive use of bandwidth for his own origination purposes; but if a problem should arise, we shall be alert to take action to maintain our emphasis on the provision of access channels.

[18] Our authority to require cable origination has been confirmed in *U.S.* v. *Midwest Video Corporation*, —— U.S. —— (Case No. 71-506) June 7, 1972.

70. *Natural Breaks.* Buckeye Cablevision *et al.* and Jerrold Electronics Corp. have requested reconsideration of Section 76.217 which permits advertising on origination cablecasting channels only at the beginning and conclusion of each program and at natural intermissions or breaks within a cablecast.[19] Petitioners argue that advertising on such channels should be permitted to the same extent as for broadcasters. They maintain that more advertising revenue will tend to alleviate the financial burden of providing free access channels. Further, they suggest that since we have placed no advertising restrictions on leased access channels, it no longer seems reasonable to maintain the restrictions on the origination channel.

71. The argument is not without attraction, especially in light of the new relationship between origination cablecasting channels and access channels. At this stage, however, we have not received enough information in this experimental area to enable us to ascertain the likely source and extent of a cable operator's revenues. It may be, for instance, that the revenues derived from leased operations will more than suffice to offset whatever losses are incurred as a result of our advertising limitations on the origination cablecasting channel. It is too early to determine. We expect to be watching developments in the nonbroadcast area closely and, should it become necessary or desirable, we will re-visit this problem.

72. *Pay-Cable.* ABC, the Motion Picture Association of America, et al., (MPAA), and the National Association of Theatre Owners, Inc., (NATO), filed comments on the questions of pay-cable and the siphoning of broadcast programming. All three parties request a thorough review of the Commission's policy toward pay-cable, ABC and NATO with the perspective of prohibiting it, and MPAA, representing major program producers and distributors, urging that restrictions be eliminated. ABC argues further that anti-siphoning rules should be considered for any originated cable programming—not just pay-cable—on the ground that any siphoning of programming from broadcasters, especially considering the potential of interconnected cable origination, would be harmful. ABC recommends that the Commission ". . . through appropriate further rule making proceedings, undertake to inform itself and take appropriate action . . ." respecting pay-cable and siphoning. The program producers and distributors, on the other hand, contend that the market place should be free as to program availability and not hampered by the restrictions imposed by our pay-cable rules.

73. It should be noted here that we intend to act separately on previously received petitions to reconsider the pay-cable rules. These rules were adopted by Commission action of June 24, 1970, FCC 70–677, 23 FCC 2d 825, 35 Fed. Reg. 1090. Our new cable rules have carried over the pay-cable regulations [old Section 74.1121] simply to provide continuity in codification. All the rights of the parties requesting reconsideration of Section 74.1121 remain intact. Further, on request of the parties, any petitions for reconsideration of the *Cable Television Report and Order* dealing with pay-cable will be included in our recon-

[19] Section 76.217 is the re-codification of former Section 74.1117 of our Rules.

sideration of the pay-cable rules which we intend to act on shortly.[20]

74. *Jurisdiction to Compel Access.* The Columbia Broadcasting System has suggested that the Commission lacks sufficient jurisdiction to impose access obligations on cable television systems. We disagree. Cable television, as it grows, must be integrated into a nationwide communications structure. Were we to permit an uncontrolled development of cable we would be breaching our obligations under the Communications Act of 1934, as amended. This Commission was created, amid the chaotic developments in the field of radio, ". . . to make available, so far as possible, to all the people of the United States a rapid, efficient, Nation-wide, and world-wide wire and radio communications service . . ." [21] As "an integral part of interstate broadcast transmission," cable operators "cannot have the economic benefits of such carriage as they perform and be free of the necessarily pervasive jurisdiction of the Commission." [22] Thus, we conceive it to be our obligation to consider the actual and potential services of cable television and create a federal policy which insures that these services can be distributed equitably, on a nationwide basis as merely one link in our communications systems. Much as we impose standards of public responsibility on broadcasters, so too must we fashion a role for cable television. We have attempted to construct only an initial framework within which cable may develop its potential for public service. We believe that cable's integral relationship to broadcast transmission, recognized in *United States* v. *Southwestern Cable Co.* and *United States* v. *Midwest Video Corporation* [23] and the duties imposed on us by the Communications Act of 1934 make it only reasonable and necessary for us to do so.

75. *Smaller Market Minimum Channel Capacity.* Publi-Cable, Inc. suggests that we complement the minimum channel capacity rules with a requirement that new systems in smaller markets have a minimum of 12 channels and that existing systems in these markets have 5 years (or until the renewal of their franchises, whichever occurs first) to attain a 12-channel capacity.

76. Our reason for limiting our channel capacity requirements to systems in major markets at this stage was "to avoid imposing unreasonable economic burdens on cable operators." [24] In any event there are few, if any, cable systems being built anywhere today with less than a 12-channel capacity. We will give careful scrutiny to any application for certification proposing less than a 12 channel capacity. With respect to older systems, we envision that rebuilding, whether because of general obsolescence or because of the necessity for compliance with our technical standards, will eventually result in all systems in small markets having at least 12 channel capacity.

77. *Equal Bandwidth.* Section 76.251(a)(2) of the new access rules provides, in effect, that cable systems will have to provide as much

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[20] We note that AMST, among others, has filed a response to petitions for reconsideration which includes argument on the pay-cable anti-siphoning issues. These too, upon request, will be included in our separate pay-cable proceeding.

[21] Section 1, 47 U.S.C. 151.

[22] *General Telephone Co. of California* v. *Federal Communications Commission*, 413 F. 2d 390, 401 (C.A.D.C.) (1969), cert. denied 396 U.S. 888.

[23] 392 U.S. 157 and 40 USLW 4626.

[24] *Cable Television Report and Order*, Paragraph 120.

bandwidth for nonbroadcast services as they use for the carriage of broadcast signals. Thus, for each broadcast signal carried, an equal amount of baindwith will have to be available for nonbroadcast use.

78. New Channels Corporation and others have advanced the argument that educational, religious, and foreign language broadcast stations not be counted when making this determination of channel capacity. Petitioners suggest that in some cases, where the requirement will work hardship, systems may decide not to carry all the broadcast signals legally available. They argue that the channel capacity expansion formula of Section 76.251(a)(8) provides an adequate assurance of bandwidth for nonbroadcast purposes.

79. We do not find these arguments persuasive. In our rules dealing with channel capacity, our goal was to insure that cable systems in major markets would not underbuild. "We urge[d] cable operators and franchising authorities to consider that future demand may significantly exceed current projections, and we put them on notice that it is our intention to insist on the expansion of cable systems to accommodate all reasonable demands." [25] We believe this consideration to be controlling and find it difficult to believe that cable operators will not carry all the broadcast signals available to them.

80. *Number of Designated Access Channels.* Publi-Cable, Inc., the National Association of Educational Broadcasters (NAEB), and the National Education Association (NEA) have questioned what they regard as an unduly severe limitation on the number of designated access channels to be provided by cable systems pursuant to Section 76.251(a) (4), (5), and (6) of the Rules. They argue, particularly with respect to educational channels, that the potential for use far exceeds the limit of one channel. NEA has suggested, once more, that a minimum of 20 percent of system capacity be set aside for educational use.

81. It should be noted at the outset that, while one educational access channel is the minimum required, we specifically provide in Section 76.251(a)(8) for adding more access channels should the need for such channels be adequately demonstrated. Thus we envision an orderly growth of access channels, linked to demand.[26] In addition, in the *Cable Television Report and Order* we stated that after a developmental period (to begin from the commencement of service until five years after completion of the basic trunk line) "designed to encour-

[25] *Cable Television Report and Order*, Para. 120. The question has arisen whether we have pre-empted the area of channel capacity so that local governmental entities could not require more than twenty channel capacity or more than required under the equal bandwidth rule, Section 76.251(a)(2). We believe that our requirement for expansion of channel capacity will insure that cable systems will be constructed with sufficient capacity. However, if a local governmental entity considers that greater channel capacity is needed than is required under the rules, we would not foreclose a system from meeting local requirements upon a demonstration of need for such channel capacity and the system's ability to provide it. A similar question has been raised with respect to two-way capability. We find no reason why a cable operator wishing to experiment with a more sophisticated two-way capability than that which we have required should be precluded from doing so. However, we do not believe that franchising authorities should require more than we have provided for in our rule because it is possible that any such requirement will exceed the state of the art or place undue burdens on cable operators in this stage of cable development in the major markets. Where a franchising authority has a plan for actual use of a more sophisticated two-way capability and the cable operator can demonstrate its feasibility both practically and economically we will consider, in the certificating process, allowing such a requirement.

[26] Paragraph 123.

age innovation in the educational uses of television—we will be in a more informed position to determine in consultation with state and local authorities whether to expand or curtail the free use of channels for such purposes or to continue the developmental period." [27] Clearly, as we have stated, this is an area which we will revisit. But without the further knowledge which can be gained only from allowing cable systems to experiment within our initial framework, we are not inclined to add extra burdens to the access requirements. Finally, we are in no way restricting arrangements between the local entity and the cable operator to provide specified numbers of channels for educational purposes on a paid basis. Such arrangements constitute the very type of new service which cable can and should provide. Further, we will entertain petitions from the franchising authority and the cable system when they wish to experiment with additional designated channels on a free basis or at reduced rates.

82. *Rates for Educational Users of Leased Channels.* The NAEB urges us to amend our rules to enable leased channels to be used for educational purposes at lower rates and to provide that, at the termination of the free five year developmental period for educational access channels, rates be kept at a minimum. As stated, we are entering into a period of experiment. The access rules will, without question, require further study and future deliberations. The question of access channel rates is but one of the matters which we will have to confront again. Our initial feeling in this matter is to avoid any form of preferential policy with regard to who may use and what must be paid for access channels. For the present, we deem it desirable to allow the experiment to proceed apace.

83. *Leased Channel Availability.* The ACLU claims that Section 76.251(a)(11)(iii), requiring that the cable operator establish rules for first-come, nondiscriminatory access to leased access channels, fails to assure that channel capacity will be available over periods of sufficient duration to justify prudent investment by an entrepreneur wishing to supply broadband services.[28] We are somewhat puzzled by this view and can only state that we assume entrepreneurs will, in fact, lease channels over long periods for programming or other services. It is for this reason that we specifically require in Section 76.251(a)(7) that ". . . on at least one of the leased channels, priority shall be given part-time users.

84. We do, however, feel constrained to inject a note of caution at this point. Our view that cable systems be required to accept "all reasonable demand" for access use is predicated on the knowledge that cable technology embraces very large amounts of bandwidth. In the *Report and Order* we noted the existence of a few 40, 50, and even

[27] In Paragraph 132 of the *Report and Order* we specifically note that in instances where the system operator and franchising authority may wish to experiment by providing additional channel capacity for educational, as well as other access channels—on a free basis or at reduced charges—we will consider appropriate showings.

[28] The ACLU also suggests that our rules do not provide for the leasing of channels for "data grade" or "audio grade" transmissions, even though such transmissions do not require a large amount of bandwidth. The Rules and the *Report and Order* in fact do contemplate such channel uses. Section 76.251(a)(2) requires that nonbroadcast capacity be suitable for carriage of "Class III" signals, which are clearly described in the *Report and Order* as used for many non-video activities requiring less than a full 6 MHz of bandwidth.

60 channel systems. We are confident that, as technological developments proceed, the majority of cable systems will be able to offer similar and even greater channel capacities. It would be unrealistic, however, to assume that we are dealing with an infinite entity. Any channel capacity, no matter how large, can in theory be completely consumed. We have proceeded in what we believe is a reasonable fashion. We have not required all systems to offer 60 channel capacities. For many if not most systems, to do so at the present time might be impossible and/or economically unwise. It is clear, therefore, that until such time as channel capacity can practically approach the huge numbers we envision, any single person or group claiming access to large numbers of channels will create problems for both the system and for the Commission. But our present judgment is that the problem is unlikely to arise in the next few years. We do not, therefore, believe it necessary now to place artificial restrictions on the number of channels any one person or group can use. Indeed, we may not be confronted with the issue because technological advances may outstrip even huge channel demands. If we are wrong in our present estimates, potential users of access services will, hopefully, exercise a degree of restraint and will not, by over-enthusiastic reaction to cable television, force a determination of what, in fact, constitutes an "unreasonable" demand for channels. Finally, while the cable operator remains fully responsible for compliance with our rules, local groups providing assistance to the cable operator can be most helpful and should therefore receive the cooperation of the cable operator in their appropriate activities.

85. *Access Channel Liability.* Various parties have questioned our judgment that there seems little likelihood of civil or criminal liability against cable operators from the use of access channels. The parties contend, understandably, that our feeling in this matter, however persuasive, is hardly a guarantee. They note, further, that although the cable operator will have no control over program content on access channels, he is charged with proscribing the presentation of obscene material. It is suggested that to this extent, at least, the operator will, in effect, be required to exercise control. To clarify this area, we are requested to seek legislation to grant immunity to a system operating under our access rule. We, of course, appreciate petitioner's concern over the liability issue. We still believe, however, that existing case law solves most problems in this area.[29]

86. *Provision of Access Services for Operating Systems.* A number of parties[30] have requested reconsideration of Section 76.251(c) of the Rules. This section makes the minimum channel capacity and access channel requirements applicable to all cable television systems which commence operations in a major television market after March 30, 1972. Systems already in operation prior to March 31, 1972, are given until March 31, 1977, to comply. Finally, the Section provides that if a major market system in operation prior to March 31, 1972, receives a certificate of compliance to add television signals to its operations before March 31, 1977, it shall comply with various elements of the

[29] *Cable Television Report and Order*, at Para. 141.

access rules at the time of such addition of signals.[31] It is this provision of Section 76.251(c) which has prompted petitioners' concern.

87. The access provisions made applicable by Section 76.251(c) are the requirements for designated public, educational and local government access channels, and leased access channels, plus the rules applicable to the operation of such channels and the requirement of "expansion of access channel capacity" (76.251(a)(8)). We did not require the immediate compliance with the new minimum channel capacity rules of Section 76.251(a)(1) and (2). It is clear, however, that a currently operating system without the bandwidth required by these new rules, may well not have the channel capacity to add whatever additional channels might be required by the expansion-of-capacity formula. Even without this provision, a system would still be faced with the prospect of adding at least four channels to what in many cases will be a channel capacity capable of absorbing only one or two.[32] Petitioners contend that the addition of such a large number of channels to most existing systems will require substantial or complete rebuilding, involving large investment. They note, further, that additional broadcast signals might well provide some revenue base to underwrite such a rebuilding program when it becomes necessary at some later date. Petitioners would prefer to add additional signals where they can, and then have some reasonable period in which to provide the access services. Such a changeover period would be decided on, apparently, by a series of rulings by the Commission. While we do not find such a request unreasonable, we are reluctant to submit ourselves to a flood of petitions, the inevitable effect of which will be to delay the certificating process. We stated in the *Cable Television Report and Order* that should some isolated system be unduly burdened by the access requirements, such a matter could be dealt with in a waiver request.[33] The number of systems potentially affected here, however, constitutes a significant percentage of all presently operating cable television systems. We do not choose to burden both ourselves and the industry with the necessity of making hundreds of individual determinations if it is possible to preserve our "go, no-go" concept with the application of a general rule.

88. We have stated that our focus with respect to the access requirements is ". . . on the top 100 markets because we have selected these markets as the recipients of special benefits in order to stimulate cable growth."[34] It was our intention that "growth should be accompanied by access obligations if the public is to receive the full benefit of this program."[35] It seems appropriate that a presently operating system in

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[30] NewChannels Corp., Athena Communications Corp., Jerrold Electronics Corp., Buckeye Cablevision, *et al.*

[31] Section 76.251(c) would require compliance with paragraphs (a)(4) through (11) of that Section.

[32] A strict interpretation of Section 76.251(c) reveals that it does not distinguish between the addition of signals which must be carried on request and the addition of signals which the cable system may choose to carry, but which are not mandatory. In some instances, our new carriage rules will require a system to carry, on request, a signal not previously required or carried on the system. It was not our intention that carriage of such a signal would trigger the access requirements of Section 76.251(c). We are amending that Section accordingly.

[33] Para. 148.

[34] *Cable Television Report and Order*, Para. 147.

[35] *Ibid.*

a major market, which receives the benefits of additional signal carriage as a result of our new rules, should be required to provide some of the access services which would not otherwise be required until 1977. The question raised is the degree of such compliance and the burdens it would place on cable systems.

89. We have decided to modify our original approach to lessen its immediate impact on the affected systems, while at the same time preserving much of its underlying philosophy. Thus, Section 76.251(c) is being amended to require that, for each additional broadcast signal carried, such a system will have to provide one access channel. The first additional signal will be complemented by a public access channel, the second by an educational access channel, the third by a governmental access channel, and any others by leased channels. The expansion of channel capacity rule will not be required, until March 31, 1977, at which time, of course, all the access requirements become applicable to existing systems in major markets.

90. Our new access cablecasting rules apply to each system in major market areas. However, we are not unmindful of the existence of multiple systems served by a single headend. In most of these situations, each system has the same channel capacity, and carries the same broadcast programming. The "system" as a whole is not designed to carry program material selectively to each component system. The ability of an existing conglomerate of systems to comply with the access channel requirements will necessarily vary with the proximity of the component systems, the basic design of the system, and, of course, the channel capacity.[36] Clearly, we cannot establish a rule of general applicability in this area. To the extent possible, however, within the technical and geographic parameters of the systems involved we intend to safeguard the integrity of our access requirements. This can best be done if, during the certificating process we are provided with sufficient detailed information concerning the systems' ability to comply. Again, we will require compliance to the greatest possible extent. In some cases it may be possible for individual systems to share channel time. If this is the case we may be persuaded for instance that, at least 2 shared public access channels will suffice for some conglomerate systems. Where boards of education are under the same jurisdiction, the problems may be alleviated. Local governments may agree to share time on one or two channels. We must, however, be given as much information in these respects, as possible, together with specific proposals on the part of the systems. Until we receive such material certificates will not issue.

TECHNICAL STANDARDS

91. The general question of federal pre-emption of technical standards has been informally raised by a number of parties. Our technical standards provide only a start. They will be expanded and refined to meet changes in the state of the art. We see no reason why franchis-

[36] While we do not require existing systems to undergo radical redesigning, we expect that newly built "conglomerate systems" will be designed to comply with the access requirements.

ing authorities may not now require more stringent technical standards than those in Subpart K.

92. *Definition of "subscriber terminal"*. Zenith Radio Corporation requests clarification of the definition for "subscriber terminal" in Section 76.5(ee). They suggest modification of the definition so that, if a converter is used, the subscriber terminal will be considered to be at the output of the converter. In the majority of cases, there would appear to be no practical difference between the two definitions. In most cases, the converter output terminals are connected directly to the subscriber's receiver input terminals. But this may not always be the case, and we must anticipate variations on this practice. We also must anticipate that the subscriber may connect his own converter between his television receiver and the cable system. The cable system should not be burdened with the responsibility for the performance of a privately owned converter. We are of the view that our definition of "subscriber terminal" is to be preferred—it is most appropriate to define it as the point at which the facilities supplied by the cable system connect to the equipment supplied by the subscriber.

93. *Tolerance*. Zenith protests that the frequency tolerance applicable at subscriber terminals where converters are used (Section 76.605 (a)(2)) is inadequate to prevent adjacent channel interference. Zenith points out that when converters are adjusted to deliver signals to subscriber receivers on channel 12 with strong ambient field present on channels 11 or 13—although the strong local fields induce signals directly into the subscriber's receiver input—these signals are adequately rejected by traps within the receiver when it is tuned properly. However, when the receiver is detuned toward the maximum departure (250 KHz) of the desired channel 12 signal coming from the cable, the internal traps are no longer able to reject the undesired adjacent channel signals which are picked up directly within the receiver. Zenith proposes that, although a ± KHz tolerance must be permitted for the present, the Commission should provide now for a scheduled reduction of permissible frequency tolerance within 2 or 3 years.

94. Other information which we have considered in this matter (for example, data filed by NCTA which report a substantial number of receiver measurements; comments of Sterling Information Systems regarding tuner performance) indicate that difficulties with converter drift may not be as critical as the Zenith comments suggest. NCTA contended that because there are a number of other practical factors which also affect susceptibility to adjacent channel interference, the benefits theoretically obtainable by tight control of converter output frequencies may be obviated. A review of measurement data on representative receivers indicates that although some of the attenuation of undesired adjacent channel signals is lost by a tuning shift of 250 KHz, it is reasonable to expect that most receivers will still provide between 25 and 40 decibels of discrimination against the undesired signals.

95. Zenith's position also is directly challenged in the TPT-Sterling joint comments. In discussing the matter of adjacent channel rejection by trap circuits within home receivers it is stated

This is simply not the case when the signals on the CATV system proper (excluding the converter) are maintained within the ±25 KHz required in para. 76.605 (a) (2) of the Rules. Zenith evidently concedes that there will be no interference problem if tolerances are held to the ±25 KHz standard. The subscriber's converter, will translate all carriers in the pass band of the converter, maintaining the original spacing and tolerances of the carriers on the system proper.

96. Nevertheless, we are persuaded that Zenith's pleading for a more strict frequency tolerance has merit. At present, converters meeting the stability requirements Zenith suggests are, to our best knowledge, not available in quantities or at costs which would permit us to impose a tighter tolerance. We are reluctant, therefore, to adopt a schedule for a reduced tolerance at this time, but we look to revised rules which we expect to consider after a reasonable period of experience. Within the next several years we shall have the benefit of practical experience with the effects of the ±25 KHz tolerance, and will also have advice from the Cable Television Advisory Committee which was established on February 2, 1972.

97. In their joint opposition to the Zenith petition, TPT-Sterling also request clarification of 76.605(a)(2) in a manner which would require a visual carrier frequency stability of no more than ±25 KHz at subscriber terminals which are served through a converter. The intent of the suggested clarification and our rule appear to be the same. We recognize that, in a converter subject to manual adjustment by the subscriber, the frequency of the visual carrier normally can be adjusted into or out of the desired channel by the subscriber. The practical effect of our rule is to require that, once the visual carrier frequency is adjusted properly within channel, it be *maintained* between 1 and 1.5 MHz above the lower boundary of the channel. The TPT-Sterling recommendation would apply the same latitude for frequency drift (±250 KHz) to the visual carrier as delivered to the subscriber, but would not require that the signal be kept within the desired channel. We are not persuaded that the rule should be "clarified" in the manner requested by TPT and Sterling.

98. *Maximum Visual Signal Level.* Both Zenith and MST request the establishment of a specific maximum limit for the visual signal level which may be delivered to subscriber terminals. Zenith proposes a maximum of 5 millivolts across 75 ohms; MST apparently requests a specified limit which will prevent overloading subscriber receivers. Section 76.605(a)(5) now requires that the visual signal level at any subscriber terminal not exceed a value that would produce signal degradation due to overloading the customer's receiver. Because the level at which overload effects become noticeable varies widely from receiver to receiver, we preferred not to set a fixed specific limit and elected to leave it to the discretion of the cable system to deliver whatever maximum level it found advisable, so long as it does not cause signal degradation in the customer's receiver. Zenith's concern seems to be centered around the possibility that radiation from the receiver input circuits might cause interference to nearby nonsubscribers. Zenith notes that, in a different action, the Commission is proposing to limit the permissible output level from Class I Television devices (*Docket 19281*) on

the grounds of potential interference, and considers that there is a similar interference potential from cable installations.

99. Our view is that there are important differences between cable and Class I Television devices. Although both types of signals usually would be delivered to home television receivers by direct connection of coaxial cables, cable television connections would be made by service technicians whose objective is to provide a proper connection and adjustment of levels to insure good picture quality. Class I Television devices, on the other hand, are expected to be consumer items and are expected to be tampered and experimented with by the owner. Further, they are subject to operation with an outside antenna connected to the television receiver when the device is in use. Measurements we have made on several such devices show a very serious interference potential. On the other hand, although thousands of cable systems have operated with unregulated signal levels, our Field Engineering Bureau is unable to report any cases of interference due to radiation from subscriber receivers, as suggested by Zenith. Thus, we are not persuaded that a limit on maxium visual signal level is required at this time. In this respect, we note also the comments supportive of our position which were filed by TPT and Sterling.

100. There is a point with respect to the MST petition for modification of Section 76.605(a)(5) with which we concur. MST objects to the reference in the rule to the term "12 decibels overall" without defining the requirement more clearly. The aim of this requirement is to accommodate a reasonable variation in levels throughout the system. Present techniques appear to be adequate to hold such variations within the 12 dB latitude, and we wish to be certain that this capability is applied for the benefit of subscribers. In response to MST's suggestion, we are revising the rule to indicate that, over any 24-hour period, levels on individual channels must be maintained within a 12 dB range.

101. *Channel Response.* Oak Electro/netics Corporation requests amendment of the channel response requirements when converters are used. They maintain that converters, in order to provide substantially greater rejection of adjacent channel signals, must be permitted to "roll off" the desired channel response closer to the visual carrier frequency than Section 76.605(a)(8) would permit. In support of this position, Oak submits two studies representing the response characteristics of converters which they now manufacture or plan to manufacture. Both bear a notation which indicates that they fail to meet the requirements of Section 76.605(a)(8). However, we observe that by a slight retuning to relocate the visual carrier closer to the bandpass center, the requirements of Section 76.605(a)(8) are met by both response curves. Oak's comments are, in our view, based on a desire to provide a substantial increase in adjacent channel selectivity. We recognize that many existing receivers are deficient with respect to rejecting adjacent channel signals, but we are reluctant to sanction remedies of the deficiency which would use converters that substantially modify response characteristics near the visual carrier frequency in order to provide added selectivity. The intention of Section 76.605(a)(8) is to insure that the cable system does not modify unduly the spec-

trum of frequencies presented to the subscriber's receiver, particularly near the picture carrier frequency. Accordingly, we will not adopt the amendment proposed by Oak.

102. *Radiation From Cable Systems.* Zenith points out an inadvertent inconsistency in the technical standards that we now correct. Section 76.605 embraces a series of performance requirements that are applicable to system performance as measured at each subscriber terminal. However, the radiation limitation set forth in subparagraph (12) obviously is not applicable to measurements at a subscriber terminal. It is intended that measurements of radiation from the system be made in accordance with the provisions of 76.609(h). We are adopting an appropriate amendment to clarify this matter.

103. *Component Standards.* There have been requests that the Commission adopt standards for various components of cable systems. For instance, standards were suggested for television antenna and preamp design, cable headend equipment, and cable receiving antennas. The thrust of our technical standards has been to refrain from specifying either equipment type or characteristics. Rather, we are concerned primarily with performance standards as measured at subscriber terminals. We are interested in the end result. Many alternative approaches have been considered, but on balance we have endeavored to take into account the considerable technical diversity found in the new cable technology and have thus adopted "... a set of standards that we believe will provide much needed uniformity on a nationwide basis yet still allow sufficient flexibility for further technical change." We are not inclined, therefore, to specify types of equipment or equipment design.

104. It should be apparent, of course, that some cable systems may well have to invest in new or different equipment in order to comply with our standards. For instance, where antennas are located adjacent to power sources capable of generating interference so that our standards cannot be met, the antennas will have to be moved. We do not believe, however, that it is advisable to require this and similar measures in our rules. Conditions vary, and it will be up to each cable system to comply with our technical standards by whatever means become necessary.

105. *Receiver Modification.* Some have suggested that we require the cable system to modify its subscribers' television receivers in a number of ways. Trans-Tel, for instance, would have us require cable systems to modify tuner knobs to specify the particular UHF channels available in the market and being carried on the system. Others, including Mid-Continent, urge us to require that the operator install a shielded lead between the television tuner and its antenna terminals to reduce the possibility of ghosting.

106. We are reluctant to require any cable television system to engage in these or other television receiver modifications. We note in this regard the Opposition to Petition for Reconsideration filed by TransVideo Corporation, indicating that to require receiver modification may involve financial burdens, loss of customer good will and in some instances excessive technical difficulty. We choose to leave this problem in the hands of the cable system. Should the system and sub-

scriber agree to make certain receiver modifications, we will have no objection.

107. "*Local*" *and* "*Distant*" *Signals.* Several parties are still particularly concerned that our technical standards could result in a lack of comparable signal quality between "distant" or microwaved stations and "off-air" local transmissions. We simply do not believe that this will be the case. The standards we have adopted, when supplemented by appropriate color and ghosting standards [37], should result in substantial parity of all signals received at a subscriber's terminal.

108. "*On-channel*" *Carriage.* We have been urged to require that broadcast signals on cable systems be carried on the same channel number with which the station is identified. Section 76.55(a)(2) of our rules does require this, on request, but not where technically infeasible. It will be up to the cable system to comply with Section 76.55 (a)(2) to the extent permitted by our technical standards. The system would be offering no benefit at all were it to sacrifice technical quality for on-channel carriage.

109. *Applicability.* MST has requested that we make the cable television technical standards applicable immediately to expansions of existing systems, applicable in one year to existing systems serving more than 3,500 subscribers, and applicable in two years to smaller existing systems.[38] Clearly, an effective date for rules requiring large expenditures should be applied with reason. We have had to balance the obvious burden we are imposing on many existing cable systems against the resulting benefits to the public. Our original proposal in Docket 18894 was that existing cable television systems should have three years within which to comply with the technical standards. Comments received in that docket and our own reevaluation persuaded us that a three-year period would in most cases not be sufficient time. Instead, we have tried what we believe to be the most realistic approach, and have made different sections of our technical requirements applicable to existing systems at different times. Thus, existing cable systems will be required to comply with our performance test requirement immediately. Similarly, the radiation limitations of Section 76.601(a)(12) will have to be met now. The bulk of our technical standards (Section 76.605(a) (1) through (11)) will have to be complied with within five years. We are not persuaded to change this schedule.

FEDERAL-STATE/LOCAL RELATIONSHIPS

110. *Multiple Franchising.* Publi-Cable, Inc. urges the Commission to adopt more comprehensive rules encouraging multiple franchise arrangements for large cities and promoting more citizen participation. As we noted in the *Cable Television Report and Order*, we are looking forward to a period of experimentation in the development of cable

[37] We expect shortly to request comments on such standards. In addition it is expected that they will be a subject of study by the Technical Standards Committee established on February 2, 1972.

[38] Although we have not adopted this proposal, it should be clear to operating systems that any substantial system expansion before the date required by the Commission should be accomplished with a view toward the necessity of compliance with our technical standards by that date.

television. While Publi-Cable's comments on the desirability of multiple franchising and citizen participation are valuable and hopefully will be implemented in various localities, it would be premature at this time to institute specific comprehensive rules of this nature. We are attempting to give great latitude to local entities to experiment with the various regulatory and franchising modes for cable television. We do not wish to hamper that flexibility any more than is necessary.

111. *Franchise Duration.* Publi-Cable also argues that franchises should be limited to 10 years, with renewal periods not to exceed three years. In Section 76.31(a)(3) of our Rules, we required only that initial franchise periods and renewals be of "reasonable duration." We noted in the *Report and Order*, however, our general belief that a franchise period should not exceed 15 years. While there may be situations where a 15-year franchise period is inappropriate, it appears to be a reasonable point of departure. Because our requirement of "reasonable duration" seems to have confused some parties, we have decided that our rules should more directly reflect the statements made in the *Report* and have therefore now set 15 years as the standard to be followed [see revised Section 76.31(a)(3)]. If good cause can be shown in a particular instance for some other franchise period, we will of course entertain such a documented showing in a petition for special relief.

112. Also by way of clarification, while it was apparently clear that if, after the initial franchise expires, a new applicant receives a franchise he would have to obtain a certificate of compliance, some question was raised about simple renewals. It is our intent that whenever a franchise expires, whether it is subsequently renewed or a new franchise is granted, a new certificate of compliance will be required.

113. Questions have been also received by the Commission regarding our power to require a cable system to remain operational during a period when the operator's local franchise has expired and a new applicant has been selected by the locality. The problem arises in cases where the operator holds the potential threat of stopping service if he does not get a franchise renewal and refuses to sell or lease the existing plant to the new franchise holder, be it another private party or the city. We do not at this time intend to extend our requirements for a certificate of compliance to cover this potential problem, but would strongly recommend that local officials include specific "buy-back" or continuation of service provisions in their franchises. If we find at a later date that this is still a recurring problem we may well then include such requirements in our rules in order to protect the public's right to continuity of service.

114. *Interconnection of Franchise Areas.* The National Association of Educational Broadcasters is concerned with how cable is to develop to assure the interconnection of franchise areas (regionally or statewide) and the adequate planning of equitable service expansion from urban to rural areas. Petitioner argues that local officials may not be able to meet such a challenge for compatible development and interconnection across political boundaries. Again, we feel that it would be premature to codify such rules as the petitioner suggests. However,

we do agree with the NAEB that such guidelines should be identified as a priority problem for the Cable Television Advisory Committee on federal-state/local relationships.

115. *Franchise Grandfathering.* Many parties have raised questions on what procedure the Commission will follow regarding franchises that were granted prior to March 31, 1972, where there are franchise provisions inconsistent with the new rules. While all franchises are required to comply with our rules by March 31, 1977, we have indicated that some renegotiation of franchises may be required immediately in localities where the franchise was granted but the system was not built and operational. In some cases, this requirement appears to be creating unreasonable hardships and delays. Therefore, we are modifying the rule so that franchises granted prior to March 31, 1972, will be processed even though they do not meet all the requirements of our new rules so long as there is substantial compliance. For instance, the delay attendant to renegotiation of a franchise requiring a 6% franchise fee would do more of a disservice to the public we are trying to protect than would the fee itself, which will have, in any case, to be modified within 5 years. Further, any system that, in reliance on the existing franchise, has made a significant financial investment or entered into binding contractual agreements prior to the effective date of the rules but was not operational by that date, may request that its inconsistent franchise be grandfathered until March 31, 1977 upon such a showing in a petition for special relief. We would of course welcome the participation of the affected franchising authority in any such proceeding. As the rules already make clear, the franchising authority must be given notice by the applicant whenever such relief is sought. We are making this point even clearer by amending Section 76.7 to indicate that the franchising authority should always be considered an interested party in any filing to the Commission affecting a cable system to which he has issued a franchise.

116. *Franchising Authority.* Community Antenna Television of Wichita, Inc. has noted a need for clarification of Section 76.31(a)(1–6) in the situation where there is no "franchise or other appropriate authorization" available for the cable operator to submit in his application for a certificate of compliance. It appears that the best way to deal with this situation is on a case-by-case basis through the special relief provisions of Section 76.7 of the new rules. Such a petition, seeking a certificate of compliance under these unusual circumstances would have to include an acceptable alternative proposal for assuring that the substance of our rules, and specifically Section 76.31, is complied with.[39]

117. A related matter concerns proposed cable operation in areas where there is doubt as to whether the appropriate franchising authority is on the state or local level. At a minimum, when there is such a dispute we believe that notice of the filing of an application for a certificate of compliance should be served on all authorities that are

[39] Because we have made local franchising an integral part of our program, we do not believe it appropriate for a cable system to avoid obtaining a franchise by obtaining channel service from a telephone company. Consequently, all applications for certificates from channel service customers must conform to Section 76.31 of the Rules.

asserting a claim to jurisdiction. To the extent feasible, we will attempt to administer our rules so that, if otherwise permitted by local laws, cable operations need not be indefinitely held up while local jurisdictional disputes are settled. It may, for example, be possible to issue certificates on a conditional basis, subject to review when the local issues have been finally resolved. Our ability to do this will, of course, depend on the facts of particular cases.

118. *Enforcement.* ABC, MST, and RMBA note their concern that the rules do not provide the Commission with adequate enforcement tools to assure that cable systems which have obtained certificates of compliance continue to abide by the rules and operate consistently with the public interest. ABC in particular, in its initial and reply petitions, urges that the Commission license cable television systems following the existing pattern in the television broadcast station area.

119. These suggestions were before us and were considered in connection with the issuance of the *Cable Television Report and Order.* While these matters are appropriate for continuing consideration, we do not think that action is required at this time. The Commission now exercises its authority to issue cease and desist orders for violations of its Rules. Penalties for violation of the rules may be imposed under Section 502 of the Communications Act. Legislation has been sought to permit the Commission to assess forfeitures for rule violations by cable television systems. Under the rules, the Commission also shares responsibility with local authorities for assuring that cable operations are consistent with the public interest, and local authorities will be in a position to review the performance of cable systems at franchise renewal times and as otherwise permitted under local laws. The desirability of traditional federal licensing is a point which ABC has commented on a number of times in the past (see, for example, Paragraph 172 of the *Cable Television Report and Order*) and which was raised as a possible alternative in Docket 18892. We find in the reconsideration petitions nothing to convince us that traditional licensing is a burden which we should undertake or which dissuades us from proceeding with the dual jurisdictional approach we have adopted.

PROCEDURE, SPECIAL RELIEF, ETC.

120. *Processing Procedures.* Buckeye Cablevision, Inc. *et al.*, New-Channels Corp., Athena Communications, and Jerrold Electronics Corporation have commented on the processing procedures that govern the certification of cable television systems. In order to effectuate the "go, no-go" concept of the new rules, these parties suggest that:

(1) The Cable Television Bureau be given delegated authority to grant automatically all unopposed applications at the end of 60 days after public notice expires.

(2) The Commission, either on reconsideration or in the first few decisions in the certificating process, set forth pleading standards so that dilatory, unmeritorious objections will not curtail the processing procedure beyond 90 days after final pleadings are filed.

121. We believe that delegated authority in certain areas will be given to the Cable Television Bureau in order that processing procedures may be streamlined and applications acted on within a reasonable time. However, we believe it would be desirable to obtain experience with the new processing procedures before delegations are conferred. As to the processing of applications, we only need restate our intentions outlined in the *Cable Television Report and Order* that:

> Absent special situations or showings, requests consistent with our rules will receive prompt certification. The rules will operate on a "go, no-go" basis—i.e., the carriage rules reflect our determination of what is, at this time, in the public interest with respect to cable carriage of local and distant signals. We will, of course, consider objections to signal carriage applications and have retained special relief rules, but those seeking signal carriage restrictions on otherwise permitted signals have a substantial burden. Before restrictions are imposed in such cases, there will have to be a clear showing that the proposed service is not consistent with the orderly integration of cable television service into the national communications structure and that the results would be inimical to the public interest. We have during the course of this proceeding fully considered the question of impact on local television service and we do not expect to re-evaluate that general question in individual cases. And, for the same reason, we have no intention of re-evaluating on request of cable systems in individual proceedings the general questions settled in our carriage and exclusivity rules. Rather, we strongly believe that cable systems must generally operate under these rules and that, only after meaningful experience, will we be in position for a general reassessment. [Para. 112.]
>
> In connection with our special relief provisions, we note that in our August Letter we designated certain markets where it appeared that special treatment to restrict distant signal carriage might have to be considered. We are no longer singling out these cases because the inclusion of substantial exclusivity protection for syndicated programming limits the impact of cable on local television service and is a new factor that must be taken into account. We are leaving unusual situations to petition for special relief, but there must be substantial showing to warrant deviation from the "go, no-go" concept of the rules. [Para. 113.] [40]

We do not believe that it would be appropriate now to set time limits on the processing procedures. As with delegated authority, experience with the new procedures is necessary before any evaluations may be made as to the time required to process applications and other petitions.

122. *Service of Applications.* MST suggests that full copies of applications for certificates of compliance should be served on all stations placing a Grade B or better signal over the cable community. We see no need for such service. It would be burdensome and unnecessary for cable systems to have to supply voluminous documents when the key information needed by the station can be easily provided by the notification procedure we have specified. Of course, the full application will always be available for public inspection both at the cable system's office and at the Commission. This is sufficient. However, it appears that it would be useful if a copy of the application for certification were available for public inspection in the community of the system. Consequently, we are requiring applicants to serve the franchising authority with the complete application for certification. We

[40] The quotation from paragraph 113 reflects our policy concerning markets that were designated with an asterisk in our Letter of Intent. We do not believe it necessary to modify its language as requested by Connecticut Television, Inc. to reflect that we intend to specially examine "asterisk" markets.

strongly urge franchising authorities to make the application available for public inspection. However, if the application is not, in this manner, available for inspection, the cable operator must, in some other way, make it available in the community of the system.

123. *Regulation in Areas Outside of the 48 Contiguous States.* Although no reconsideration petitions were directed to the point, we believe it appropriate on our own motion that some additional consideration be given to the applicability of the rules to cable systems operating in Alaska, Puerto Rico, Hawaii, and other areas not included within the 48 contiguous states. Because of the unique situation with respect to broadcasting and cable television in these areas we believe some special consideration may be called for. Thus, for example, it is clear that Section 76.59(d) of the rules regulating the carriage of non-English language stations could not be applied literally in Puerto Rico where most of the stations regularly broadcast in the Spanish language. Alaska, as was recently noted in the *Proposed Second Report and Order* in the domestic satellite proceeding (FCC 72–220, Para. 144), is characterized by geographical remoteness from the contiguous states, has vast area and small population. There are only a few existing television stations and cable television systems, and in some instances both the television station and the cable system in the same community receive their programming on tape. Neither Hawaii nor Puerto Rico has distant signal programming readily available, and both have major cities where it could be argued our access rules should apply.[41] It is likely that other areas such as the Virgin Islands are likewise dissimilar from otherwise comparable areas within the 48 states. Because of the peculiar circumstances with respect to cable in these areas we believe it appropriate to treat certificate of compliance applications from these areas on an *ad hoc* basis, measuring the applications filed against the policies and standards contained in the new rules and specifically with regard to the rules concerning carriage priorities, program exclusivity, origination restrictions, and the applicability of the access requirements. We believe this is an appropriate method of proceeding, since these areas are not likely to be strictly comparable to those areas for which the rules were designed.

124. *Clarification of Certification Sections.* On our own motion we have reworded parts of Section 76.13 to clarify the elements of applications for certificates of compliance in different situations, and we have added to this Section the requirement that the applicant explain how he plans to comply with the origination cablecasting requirements of Section 76.201. In this connection, we have also added new Sections 76.16 (who may sign applications), 76.18 (amendment of applications), and 76.20 (dismissal of applications), and have amended the public notice provision (renumbered Section 76.25) and the section concerning objections to applications (renumbered Section 76.27) to indicate that signal carriage amendments to applications

[41] San Juan has a population of 452,749, Ponce 128,233. The Honolulu television market has a population of 630,528, with 324,871 in the city itself.

will be placed on public notice and may be the subject of objections. A number of other minor editorial changes have also been made.[42]

125. *Concluding Matters.* In a number of places in this document, we have described modifications in the rules made either on our own motion or in response to arguments by petitioners. Since these amendments are essential elements of our over-all cable television regulatory program, delay in their implementation would confuse the public and would be contrary to the public interest; hence, the amendments will be effective immediately on publication in the Federal Register.

Authority for the rule amendments adopted herein is contained in Sections 2, 3, 4 (i) and (j), 301, 303, 307, 308, and 309 of the Communications Act of 1934, as amended.

Accordingly, IT IS ORDERED, That effective July 14, 1972, the modifications in Parts 1 and 76 of the Commission's rules and regulations that are set out in Appendix A ARE ADOPTED.

IT IS FURTHER ORDERED, That the petitions for reconsideration or declaratory ruling ARE DENIED in all other respects.

IT IS FURTHER ORDERED, That, in order to consider pending petitions for reconsideration of the *Second Report and Order in Docket 18397*, 23 FCC 2d 816, 35 Fed. Reg. 10903 (1970), and the *Memorandum Opinion and Order in Docket 18397*, 23 FCC 2d 825 (1970), at a different time, the proceedings *in Docket 18397*, previously terminated in the *Cable Television Report and Order*, FCC 72-108, 37 Fed. Reg. 3252, ARE REOPENED.

IT IS FURTHER ORDERED, That the proceedings in Docket 18416, the subject matter of which was examined in the *Cable Television Report and Order*, 37 Fed. Reg. 3252, ARE TERMINATED.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE, *Secretary.*

APPENDIX A

Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

A. PART 1—PRACTICE AND PROCEDURE

1. In § 1.1116(a), a note is added to read as follows:

§ 1.1116 Schedule of fees for Cable Television and Cable Television Relay Services.

(a) * * *

Petitions for special relief, pursuant to § 76.7	**$25**

NOTE.—If a petition for special relief involves more than one cable television community, and the communities are served by cable facilities having a common headend and identical ownership, only a single $25 fee is required.

[42] The major market list has been revised, deleting three cities that have no television stations licensed to them. The reference point of Pittsburg, Kansas has been changed to correct a typographical error. Section 76.17 has been amended to clear up an ambiguity in the pleading schedule with respect to certificate of compliance applications. Section 76.31 has been amended to make it clear that reductions in subscription charges may be made without a public proceeding.

B. PART 76—CABLE TELEVISION SERVICE

1. § 76.3 is revised to read as follows:

§ 76.3 Other pertinent rules.

Other pertinent provisions of the Commission's rules and regulations relating to the Cable Television Service are included in the following parts of this chapter:

Part 0—Commission Organization.
Part 1—Practice and Procedure.
Part 21—Domestic Public Radio Services (Other Than Maritime Mobile).
Part 63—Extension of Lines and Discontinuance of Service by Carriers.
Part 64—Miscellaneous Rules Relating to Common Carriers.
Part 78—Cable Television Relay Service.
Part 91—Industrial Radio Services.

2. In § 76.5(a), the note is revised to read as follows:

§ 76.5 Definitions.

(a) * * *

NOTE.—In general, each separate and distinct community or municipal entity (including unincorporated communities within unincorporated areas and single, discrete unincorporated areas) served by cable television facilities constitutes a separate cable television system, even if there is a single headend and identical ownership of facilities extending into several communities. See, e.g., *Telerama, Inc.*, 3 FCC 2d 585 (1966); *Mission Cable TV, Inc.*, 4 FCC 2d 236 (1966).

* * * * * * *

3. In § 76.7, paragraphs (a) and (b) are amended, and paragraphs (c)(3) and (h) are added, as follows:

§ 76.7 Special relief.

(a) On petition by a cable television system, a franchising authority, an applicant, permittee, or licensee of a television broadcast, translator, or microwave relay station, or by any other interested person, the Commission may waive any provision of the rules relating to cable television systems, impose additional or different requirements, or issue a ruling on a complaint or disputed question.

(b) The petition may be submitted informally, by letter, but shall be accompanied by an affidavit of service on any cable television system, franchising authority, station licensee, permittee, or applicant, or other interested person who may be directly affected if the relief requested in the petition should be granted.

(c) * * *

(3) If a petition involves more than one cable television community, three (3) copies of it should be filed for each such community, in addition to the number of copies otherwise required to be filed pursuant to § 1.51 of this chapter.

* * * * * * *

(h) On a finding that the public interest so requires, the Commission may determine that a cable television system operating or proposing to operate in a community located outside of the 48 contiguous states shall comply with provisions of Subparts, D, F, and G of this part in addition to the provisions thereof otherwise applicable. In such instances, any additional signal carriage that is authorized shall be deemed to be pursuant to the appropriate provision of §§ 76.61(b) or 76.63(a) (as it relates to § 76.61(b)).

4. In § 76.11, a new paragraph (d) is added, as follows:

§ 76.11 Certificate of compliance required.

* * * * * * *

(d) A certificate of compliance that is granted pursuant to this section shall be valid until the unamended expiration date of the franchise under which the certificated cable television system is operating or will operate, unless the Commission otherwise orders. A cable system may continue to carry television broadcast signals after the expiration of its certificate, if an application for a new

certificate is filed at least thirty (30) days prior to the expiration date of the existing certificate and the Commission has not acted on the application.

5. In § 76.13, paragraphs (a) and (b) are amended, paragraph (c) is revised and paragraph (d) is deleted, as follows:

§ 76.13 Filing of applications.

* * * * * * *

(a) * * *

(2) A copy of FCC Form 325, "Annual Report of Cable Television Systems," supplying the information requested as though the cable system were already in operation as proposed;

* * * * * * *

(4) A statement that explains how the proposed system's franchise and its plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of §§ 76.31, 76.201, and 76.251;

NOTE.—If the proposed system's franchise was issued prior to March 31, 1972, only substantial consistency with the provisions of § 76.31 need be demonstrated in the statement required in subparagraph (4), until the end of the current franchise period, or March 31, 1977, whichever occurs first.

* * * * * * *

(6) An affidavit of service of the information described in subparagraph (1) of this paragraph on the licensee or permittee of any television broadcast station within whose predicted Grade B contour or specified zone the community of the system is located, in whole or in part, the licensee or permittee of any 100-watt or higher power television translator station licensed to the community of the system, the superintendent of schools in the community of the system, and any local or state educational television authorities;

(7) A statement that a copy of the complete application has been served on the franchising authority, and that if such application is not made available for public inspection by the franchising authority, the applicant will provide for public inspection of the application at any accessible place (such as a public library, public registry for documents, or an attorney's office) in the community of the system at any time during regular business hours;

* * * * * * *

(9) A statement that the filing fee prescribed in § 1.1116 of this chapter is attached.

(b) For a cable television system that proposes to add a television signal to existing operations, or that was authorized to carry one or more television signals prior to March 31, 1972, but did not commence such carriage prior to that date, an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served or to be served, television signals already being carried, television signals authorized to be carried but not carried prior to March 31, 1972, television signals not previously authorized and now proposed to be carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii)), and, if applicable, a statement that microwave relay facilities are to be used to relay one or more signals;

(2) If the system has not commenced operations but has been authorized to carry one or more television signals, a copy of FCC Form 325, "Annual Report of Cable Television Systems," supplying the information requested as though the cable system were already in operation as proposed;

(3) If the system has not commenced operations but has been authorized to carry one or more television signals, a copy of the franchise, license, permit, or certificate granted to construct and operate a cable television system, and a statement that explains how the system's franchise is substantially consistent with the provisions of § 76.31;

NOTE.—If only substantial consistency with the provisions of § 76.31 is demonstrated in the statement required in subpara-

graph (3), a certificate of compliance that is granted pursuant to § 76.11 shall be valid only until the end of the system's current franchise period, or March 31, 1977, whichever occurs first.

(4) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of §§ 76.201 and 76.251;

(5) A statement that explains, in terms of the provisions of Subpart D of this part, how carriage of the television signals not previously authorized is consistent with those provisions, including any special showings as to whether a signal is significantly viewed (see § 76.54(b));

(6) An affidavit of service of the information described in (b)(1) above on the parties named in paragraph (a)(6) of this section;

(7) A statement that a copy of the complete application has been served on the franchising authority, and that if such application is not made available for public inspection by the franchising authority, the applicant will provide for public inspection of the application at any accessible place (such as a public library, public registry for documents, or an attorney's office) in the community of the system at any time during regular business hours;

(8) A statement that the filing fee prescribed in § 1.1116 of this chapter is attached.

(c) For a cable television system seeking certification of existing operations in accordance with § 76.11(b), an application for certificate of compliance shall include:

(1) The name and mailing address of the system, community and area served, television signals being carried (other than those permitted to be carried pursuant to § 76.61(b)(2)(ii) or § 76.63(a) (as it relates to § 76.61(b)(2)(ii)), television signals authorized or certified to be carried but not being carried, date on which operations commenced, and date on which its current franchise expires;

(2) A copy of the franchise, license, permit, or certificate under which the system will operate upon Commission certification (if such franchise has not previously been filed), and a statement that explains how the franchise is consistent with the provisions of § 76.31;

(3) A statement that explains how the system's plans for availability and administration of access channels and other nonbroadcast cable services are consistent with the provisions of §§ 76.201 and 76.251;

(4) An affidavit of service of the information described in (c)(1) above on the parties named in paragraph (a)(6) of this section;

(5) A statement that a copy of the complete application has been served on the franchising authority, and that if such application is not made available for public inspection by the franchising authority, the applicant will provide for public inspection of the application at any accessible place (such as a public library, public registry for documents, or an attorney's office) in the community of the system at any time during regular business hours;

(6) A statement that the filing fee prescribed in § 1.1116 of this chapter is attached.

NOTE.—As used in § 76.13, the term "predicted Grade B contour" means the field intensity contour defined in § 73.683(a) of this chapter, the location of which is determined exclusively by means of the calculations prescribed in § 73.684 of this chapter.

6. A new § 76.16 is added, as follows:

§ 76.16 Who may sign applications.

(a) Applications for certificates of compliance, amendments thereto, and related statements of fact required by the Commission shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; or by a member who is an officer, if the applicant is an unincorporated association. Applications, amendments, and related statements of fact filed on behalf of government entities shall be signed by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction.

(b) Applications, amendments thereto, and related statements of fact required by the Commission may be signed by the applicant's attorney in case of the applicant's physical disability or of his absence from the United States. The attorney shall in that event separately set forth the reasons why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than his knowledge), he shall separately set forth his reasons for believing that such statements are true.

(c) Only the original of applications, amendments, or related statements of fact need be signed; copies may be conformed.

7. A new § 76.18 is added, as follows:

§ 76.18 Amendment of applications.

An application for a certificate of compliance may be amended as a matter of right prior to the adoption date of any final action taken by the Commission with respect to the application, merely by filing three (3) copies of the amendment in question duly executed in accordance with § 76.16. All amendments shall be served on the franchising authority, on all parties that have filed pleadings responsive to the application, and, if the addition or deletion of a television broadcast signal is involved, on all parties served pursuant to § 76.13. Amendments shall be made available for public inspection in the same manner as the application.

8. A new § 76.20 is added, as follows:

§ 76.20 Dismissal of applications.

(a) An application for a certificate of compliance may, upon request of the applicant, be dismissed without prejudice as a matter of right prior to the adoption date of any final action taken by the Commission with respect to the application. An applicant's request for the return of an application will be regarded as a request for dismissal.

(b) Failure to prosecute an application, or failure to respond to official correspondence or request for additional information, will be cause for dismissal. Such dismissal will be without prejudice if it occurs prior to the adoption date of any final action taken by the Commission with respect to the application.

9. § 76.15 is renumbered as § 76.25 and is amended, as follows:

§ 76.25 Public notice.

The Commission will give public notice of the filing of applications for certificates of compliance and of amendments thereto that add or delete television signals. A certificate will not be issued sooner than thirty (30) days from the date of public notice.

10. § 76.17 is renumbered as § 76.27 and is amended, as follows:

§ 76.27 Objections to applications; related matters.

An objection to an application for certificate of compliance or an amendment thereto shall be filed within thirty (30) days of the public notice described in § 76.25. A reply may be filed within twenty (20) days after an objection is filed. Factual allegations shall be supported by affidavit of a person or persons with actual knowledge of the facts, and exhibits shall be verified by the person who prepares them. All pleadings shall be served on the persons specified in § 76.13, the cable television system, the franchising authority, and any other interested person. Controversies concerning carriage (Subpart D) and program exclusivity (§ 76.91) will be acted on in connection with the certificating process if raised within thirty (30) days of the public notice; any other objection will be treated as a petition for special relief filed pursuant to § 76.7.

11. In § 76.31, paragraph (a)(3) and (4) and the proviso after (a)(6) are amended, as follows:

§ 76.31 Franchise standards.

(a) * * *

(3) The initial franchise period shall not exceed fifteen (15) years, and any renewal franchise period shall be of reasonable duration;

(4) The franchising authority has specified or approved the initial rates that the franchisee charges subscribers for installation of equipment and regular subscriber services. No increases in rates charged to subscribers

shall be made except as authorized by the franchising authority after an appropriate public proceeding affording due process;

* * * * * * *

Provided, however, That, in an application for certificate of compliance, consistency with these requirements shall not be expected of a cable television system that was in operation prior to March 31, 1972, until the end of its current franchised period, or March 31, 1977, which ever occurs first; *And provided, further*, That on a petition filed pursuant to § 76.7, in connection with an application for certificate of compliance, the Commission may waive consistency with these requirements for a cable system that was not in operation prior to March 31, 1972, and that, relying on an existing franchise, made a significant financial investment or entered into binding contractual agreements prior to March 31, 1972, until the end of its current franchise period, or March 31, 1977, whichever comes first.

12. In § 76.51, paragraph (b) is amended, as follows:

§ 76.51 Major television markets.

* * * * * * *

(b) Second 50 major television markets:

* * * * * * *

(57) Harrisburg-Lancaster-York, Pa.

* * * * * * *

(89) Duluth, Minn.-Superior, Wis.

* * * * * * *

(98) Fargo-Valley City, N.D.

* * * * * * *

13. In § 76.53, the geographic coordinates of Pittsburg, Kansas are corrected, as follows:

§ 76.53 Reference points.

* * * * * * *

State and community	Latitude			Longitude		
	Deg.	Min.	Sec.	Deg.	Min.	Sec.
Kansas						
* * * * * * *						
Pittsburg	37	24	50	94	42	11
* * * * * * *						

14. In § 76.54, paragraph (a) is revised, and a new paragraph (c) and a note are added, as follows:

§ 76.54 Significantly viewed signals; method to be followed for special showings.

(a) Signals that are significantly viewed in a county (and thus are deemed to be significantly viewed within all communities within the county) are those that are listed in Appendix B of the *Memorandum Opinion and Order on Reconsideration of the Cable Television Report and Order* (Docket 18397 *et al.*), FCC 72-530.

* * * * * * *

(c) Notice of a survey to be made pursuant to paragraph (b) of this section shall be served on all licensees or permittees of television broadcast stations within whose predicted Grade B contour the cable community is located, in whole or in part, and on all cable systems, franchisees, and franchise applicants in the cable community at least thirty (30) days prior to the initial survey period. Such notice shall include the name of the survey organization and a description of the procedures to be used. Objections to survey organizations or procedures shall

be served on the party sponsoring the survey within twenty (20) days after receipt of such notice.

NOTE.—With respect to those counties designated by an asterisk in Appendix B of the *Memorandum Opinion and Order on Reconsideration of the Cable Television Report and Order* (Docket 18397 *et al.*), FCC 72–530, surveys of significant viewing made pursuant to § 76.54(b) may be submitted prior to March 31, 1973.

15. In § 76.57, paragraph (a)(2) is revised, as follows:

§ 76.57 Provisions for systems operating in communities located outside of all major and smaller television markets.

* * * * * * *

(a) * * *

(2) Television translator stations with 100 watts or higher power serving the community of the system and, as to cable systems that commence operations or expand channel capacity after March 30, 1972, noncommercial educational translator stations with 5 watts or higher power serving the community of the system. In addition, any cable system may elect to carry the signal of any noncommercial educational translator station;

* * * * * * *

16. In § 76.59, paragraphs (a)(5), (b)(1), and (d) are amended, as follows:

§ 76.59 Provisions for smaller television markets.

* * * * * * *

(a) * * *

(5) Television translator stations with 100 watts or higher power serving the community of the system and, as to cable systems that commence operations or expand channel capacity after March 30, 1972, noncommercial educational translator stations with 5 watts or higher power serving the community of the system. In addition, any cable system may elect to carry the signal of any noncommercial educational translator station;

* * * * * * *

(b) * * *

(1) *Full network stations.* A cable television system may carry the nearest full network stations or the nearest in-state full network stations;

NOTE.—* * *

* * * * * * *

(d) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (c) of this section, any such cable television system may carry:

(1) Any television stations broadcasting predominantly in a non-English language; and

(2) Any television station broadcasting a network program that will not be carried by a station normally carried on the system. Carriage of such additional stations shall be only for the duration of the network programs not otherwise available, and shall not require prior Commission notification or approval in the certificating process.

* * * * * * *

17. In § 76.61, paragraphs (a)(3), (b)(1), and (e) are amended, as follows:

§ 76.61 Provisions for first 50 major television markets.

* * * * * * *

(a) * * *

(3) Television translator stations with 100 watts or higher power serving the community of the system and, as to cable systems that commence operations or expand channel capacity after March 30, 1972, noncommercial educational translator stations with 5 watts or higher power serving the

community of the system. In addition, any cable system may elect to carry the signal of any noncommercial educational translator station;

* * * * * * *

(b) * * *

(1) *Full network stations.* A cable television system may carry the nearest full network stations, or the nearest in-state full network stations;

NOTE.— * * *

* * * * * * *

(e) In addition to the television broadcast signals carried pursuant to paragraphs (a) through (d) of this section, any such cable television system may carry:

(1) Any television stations broadcasting predominantly in a non-English language; and

(2) Any television station broadcasting a network program that will not be carried by a station normally carried on the system. Carriage of such additional stations shall be only for the duration of the network programs not otherwise available, and shall not require prior Commission notification or approval in the certificating process.

* * * * * * *

18. In § 76.93, paragraph (b) is amended, as follows:

§ 76.93 Extent of protection.

* * * * * * *

(b) Notwithstanding the provisions of paragraph (a) of this section, on request of a television station licensed to a community in the Mountain Standard Time Zone that is not one of the designated communities in the first 50 major television markets, a cable television system shall refrain from duplicating any network program broadcast by such station on the same day as its broadcast by the station. Where a cable system is required to provide same-day program exclusivity, the following provisions shall be applicable:

* * * * * * *

19. A new § 76.99 is added, as follows:

§ 76.99 Grandfathering.

The provisions of §§ 76.91, 76.93, 76.151, and 76.153 shall not be deemed to deprive a television station whose signal was carried by a cable television system prior to March 31, 1972, of the non-network program exclusivity rights that such station had on March 30, 1972: *Provided, however,* That such exclusivity rights shall extend only to simultaneous duplication of programming by lower priority television stations, unless the station whose exclusivity rights are at issue is entitled to same-day network program exclusivity pursuant to § 76.93(b), in which case that station shall also be entitled to continued same-day non-network program exclusivity.

20. In § 76.201, paragraph (a) is amended, as follows:

§ 76.201 Origination cablecasting in conjunction with carriage of broadcast signals.

(a) No cable television system having 3,500 or more subscribers shall carry the signal of any television broadcast station unless the system also operates to a significant extent as a local outlet by origination cablecasting and has available facilities for local production and presentation of programs other than automated services. Such origination cablecasting shall be limited to one or more designated channels which may be used for no other cablecasting purpose.

* * * * * * *

21. In § 76.251, paragraphs (a)(2) and (c) are amended, as follows:

§ 76.251 Minimum channel capacity; access channels.

(a) * * *

(2) *Equivalent amount of bandwidth.* For each Class I cable channel that is utilized, such system shall be capable of providing an additional

channel, 6 MHz in width, suitable for transmission of Class II or Class III signals (see § 76.5 for cable channel definitions);

* * * * * * *

(c) The provisions of this section shall apply to all cable television systems that commence operations on or after March 31, 1972, in a community located in whole or in part within a major television market. Systems that commenced operations prior to March 31, 1972, shall comply on or before March 31, 1977: *Provided, however,* That, if such systems begin to provide any of the access services described above at an earlier date, they shall comply with paragraph (a)(9), (10), and (11) of this section at that time; *And provided, further,* That if such systems receive certificates of compliance to add television signals to their operations at an earlier date, pursuant to § 76.61(b) or (c), or § 76.63(a) (as it relates to § 76.61(b) or (c)), for each such signal added, such systems shall provide one (1) access channel in the following order of priority—(1) public access, (2) education access, (3) local government access, and (4) leased access—and shall comply with the appropriate requirements of paragraphs (a)(4)–(7) and (a)(9)–(11) of this section with respect thereto.

22. In § 76.605(a), subparagraph (5) and the introductory text of subparagraph (12) are amended, as follows:

§ 76.605 Technical standards.

(a) * * *

(5) The visual signal level on each channel shall not vary more than 12 decibels within any 24-hour period, and shall be maintained within:

* * * * * * *

(12) As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the class of cable television channel involved, radiation from a cable television system shall be measured in accordance with procedures outlined in § 76.609(h), and shall be limited as follows:

* * * * * * *

§ 76.609 [amended.]

23. In § 76.609, the reference in the first sentence of paragraph (a) to §§ 76.701 and 76.605 should read "§§ 76.601 and 76.605."

APPENDIX B

(Revised May 1972)

Significantly Viewed Television Stations

This table lists the television stations significantly viewed for purposes of cable television carriage, in accordance with Section 76.54(a) of the Commission's Rules. All stations meeting the significant viewing test are listed, including market and other stations that might be subject to required or permissible carriage under other provisions of the rules.

Cities, not politically part of any county, are listed with the county in which they were included for survey purposes. A description of how split counties have been divided is included after each state listing that includes split counties. The description indicates which Census County Divisions (1960) are included in each division of the county. Maps of Census County Divisions may be found in *U.S. Census of Population: 1960, Vol. I, Characteristics of the Population, Part A, Number of Inhabitants.*

A plus sign (+) following the station call letters indicates that the viewing is due to either the parent station or a satellite. In this situation either the parent or the satellite station may be carried.

Information in the table is derived from 1971 American Research Bureau surveys. See *Memorandum Opinion and Order on Reconsideration of the Cable Television Report and Order,* FCC 72–530. In counties marked by an asterisk, individual survey may be submitted under Section 76.54(b) of the Rules prior to March 31, 1973. No stations are listed for those counties which had over 90 percent cable television penetration. For counties in which less than 5 non-CATV diaries were tabulated, no stations are listed (shown as NA) if the results showed significant signals from more than one market.

County	Call letters and channel numbers		Market name
	ALABAMA		
Autauga	WSFA	12	Montgomery.
	WCOV	20	Do.
	WKAB	32	Do.
Baldwin	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
Barbour	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WTVY	4	Dothan.
	WSFA	12	Montgomery.
Bibb	WBRC	6	Birmingham.
	WAPI	13	Do.
	WBMG	42	Do.
Blount	WBRC	6	Do.
	WAPI	13	Do.
	WHNT	19	Huntsville-Decatur-Florence.
Bullock	WSFA	12	Montgomery.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Butler*	WSFA	12	Montgomery.
Calhoun	WBRC	6	Birmingham.
	WAPI	13	Do.
	WHMA	40	Anniston, Al.
Chambers*	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Cherokee	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WBRC	6	Birmingham.
Chilton	WBRC	6	Do.
	WAPI	13	Do.
	WBMG	42	Do.
	WSFA	12	Montgomery.
Choctaw	WTOK	11	Meridian.
Clarke	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
Clay	WBRC	6	Birmingham.
	WAPI	13	Do.
	WRBL	3	Columbus, Ga.
Cleburne	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WBRC	6	Birmingham.
	WAPI	13	Do.
Coffee*	WTVY	4	Dothan.
	WSFA	12	Montgomery.
Colbert	WOWL	15	Huntsville-Decatur-Florence.
	WHNT	19	Do.
	WAAY	31	Do.
	WMSL	48	Do.
Conecuh	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
	WSFA	12	Montgomery.
Coosa	WBRC	6	Birmingham.
	WAPI	13	Do.
	WSFA	12	Montgomery.
Covington	WSFA	12	Do.
	WTVY	4	Dothan.
Crenshaw	WSFA	12	Montgomery.
	WCOV	20	Do.
	WTVY	4	Dothan.
Cullman	WBRC	6	Birmingham.
	WAPI	13	Do.
	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
Dale	WTVY	4	Dothan.
	WTVM	9	Columbus, Ga.
	WRBL	3	Do.
	WSFA	12	Montgomery.

County	Call letters and channel numbers		Market name
	ALABAMA—Continued		
Dallas	WSFA	12	Montgomery.
	WCOV	20	Do.
	WKAB	32	Do.
	WBRC	6	Birmingham.
De Kalb*	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Elmore	WSFA	12	Montgomery.
	WCOV	20	Do.
	WKAB	32	Do.
Escambia	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
Etowah	WRBC	6	Birmingham.
	WAPI	13	Do.
	WHMA	40	Anniston, Al.
Fayette	WBRC	6	Birmingham.
	WAPI	13	Do.
	WCBI	4	Columbus, Miss.
Franklin	WHNT	19	Huntsville-Decatur-Florence.
	WBRC	6	Birmingham.
	WCBI	4	Columbus, Miss.
	WTWV	9	Tupelo.
Geneva	WTVY	4	Dothan.
	WDHN	18	Do.
	WJHG	7	Panama City.
Greene	WBRC	6	Birmingham.
	WAPI	13	Do.
	WTOK	11	Meridian.
	WCFT	33	Tuscaloosa.
Hale	WBRC	6	Birmingham.
	WAPI	13	Do.
	WTOK	11	Meridian.
	WCFT	33	Tuscaloosa.
Henry	WTVY	4	Dothan.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Houston	WTVY	4	Dothan.
	WDHN	18	Do.
	WJHG	7	Panama City.
Jackson	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Jefferson	WBRC	6	Birmingham.
	WAPI	13	Do.
	WBMG	42	Do.
Lamar	WCBI	4	Columbus, Miss.
	WBRC	6	Birmingham.
	WAPI	13	Do.
Lauderdale	WOWL	15	Hunstville-Decatur-Florence.
	WHNT	19	Do.
	WAAY	31	Do.
	WMSL	48	Do.
Lawrence	WHNT	19	Do.
	WAAY	31	Do.
	WMSL	48	Do.
	WBRC	6	Birmingham.
Lee	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSFA	12	Montgomery.
Limestone	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
Lowndes	WSFA	12	Montgomery.
	WCOV	20	Do.
	WKAB	32	Do.
Macon	WSFA	12	Do.
	WCOV	20	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.

County	Call letters and channel numbers		Market name
ALABAMA—Continued			
Madison	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
Marengo	WTOK	11	Meridian.
Marion	WBRC	6	Birmingham.
	WAPI	13	Do.
	WCBI	4	Columbus, Miss.
Marshall	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
	WBRC	6	Birmingham.
	WAPI	13	Do.
Mobile	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
Monroe	WEAR	3	Do.
	WKRG	5	Do.
	WALA	10	Do.
Montgomery	WSFA	12	Montgomery.
	WCOV	20	Do.
	WKAB	32	Do.
Morgan	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
	WBRC	6	Birmingham.
Perry	WBRC	6	Do.
	WAPI	13	Do.
	WSFA	12	Montgomery.
Pickens	WBRC	6	Birmingham.
	WAPI	13	Do.
	WCBI	4	Columbus, Miss.
Pike	WSFA	12	Montgomery.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WTVY	4	Dothan.
Randolph	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Russell	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WYEA	38	Do.
St. Clair	WBRC	6	Birmingham.
	WAPI	13	Do.
Shelby	WBRC	6	Do.
	WAPI	13	Do.
	WBMG	42	Do.
Sumter	WTOK	11	Meridian.
Talladega	WBRC	6	Birmingham.
	WAPI	13	Do.
	WBMG	42	Do.
Tallapoosa	WBRC	6	Do.
	WAPI	13	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSFA	12	Montgomery.
Tuscaloosa	WBRC	6	Birmingham.
	WAPI	13	Do.
	WCFT	33	Tuscaloosa.
Walker	WBRC	6	Birmingham.
	WAPI	13	Do.
	WBMG	42	Do.
Washington	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
Wilcox	WSFA	12	Montgomery.
	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
Winston	WBRC	6	Birmingham.
	WAPI	13	Do.
	WBMG	42	Do.
	WHNT	19	Huntsville-Decatur-Florence.

County	Call letters and channel numbers		Market name
ARIZONA			
Apache	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Cochise	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
Coconino	KOAI	2	Phoenix.
	KTVK	3	Do.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
Gila	KTVK	3	Do.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
Graham	KTAR	12	Do.
	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
Greenlee	KVOA	4	Do.
	KGUN	9	Do.
	KOLD	13	Do.
Maricopa	KTVK	3	Phoenix.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
Mohave	KTVK	3	Do.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
	KORK	3	Las Vegas.
Navajo	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
	KOAI	2	Phoenix.
	KOOL	10	Do.
Pima East	KVOA	4	Tucson.
	KGUN	9	Do.
	KZAZ	11	Do.
	KOLD	13	Do.
Pima West	KVOA	4	Do.
	KGUN	9	Do.
	KOLD	13	Do.
	KPHO	5	Phoenix.
Pinal	KTVK	3	Do.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
	KVOA	4	Tucson.
Santa Cruz	KVOA	4	Do.
	KGUN	9	Do.
	KZAZ	11	Do.
	KOLD	13	Do.
	KPHO	5	Phoenix.
	XHFA	2	Mexico.
Yavapai	KTVK	3	Phoenix.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
Yuma	KPHO	5	Do.
	KBLU	13	Yuma.
	KECC	9	El Centro.

Census county divisions in split counties:
Pima West: Ajo, Papago.
Pima East: All other.

ARKANSAS			
Arkansas	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.

County	Call letter and channel numbers		Market name
ARKANSAS—Continued			
Ashley*	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Baxter	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Benton	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
	KFSA	5	Fort Smith.
	KOTV	6	Tulsa.
	KTUL	8	Do.
Boone	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
Bradley	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
	KTVE	10	Monroe-El Dorado.
Calhoun	KARK	4	Little Rock.
	KATV	7	Do.
	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Carroll	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
Chicot*	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	WABG	6	Greenwood-Greenville.
Clark	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Clay	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KAIT	8	Jonesboro
Cleburne	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Cleveland	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Columbia	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Conway	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Craighead	KAIT	8	Jonesboro.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Crawford*	KFSA	5	Fort Smith.
	KTUL	8	Tulsa.
Crittenden	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Cross	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Dallas	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Desha	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
	KTVE	10	Monroe-El Dorado.
Drew	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
	KTVE	10	Monroe-El Dorado.
Faulkner	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Franklin*	KFSA	5	Fort Smith.
	KARK	4	Little Rock.
	KTHV	11	Do.

County	Call letters and channel numbers		Market name
ARKANSAS—Continued			
Fulton*	KYTV	3	Springfield, Mo.
	KAIT	8	Jonesboro.
Grant	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Garland	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Greene	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KAIT	8	Jonesboro.
Hempstead	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Hot Springs	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Howard	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
Independence	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Izard	KARK	4	Do.
	KTHV	11	Do.
	KYTV	3	Springfield, Mo.
Jackson	KARK	4	Little Rock.
	KTHV	11	Do.
	KAIT	8	Jonesboro.
	WREC	3	Memphis.
	WMC	5	Do.
Jefferson	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Johnson	KARK	4	Do.
	KTHV	11	Do.
	KFSA	5	Fort Smith.
	KATV	7	Little Rock.
Lafayette	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Lawrence	KAIT	8	Jonesboro.
	WREC	3	Memphis.
	WMC	5	Do.
Lee	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
	KATV	7	Little Rock.
Lincoln	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Little River	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Logan	KFSA	5	Fort Smith.
	KARK	4	Little Rock.
	KTHV	11	Do.
Lonoke	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Madison*	KYTV	3	Springfield, Mo.
	KFSA	5	Fort Smith.
Marion	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
	KARK	4	Little Rock.
	KTHV	11	Do.
Miller	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.

County	Call letters and channel numbers		Market name
ARKANSAS—Continued			
Mississippi	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do;
Monroe	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Montgomery	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Nevada	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Newton	KYTV	3	Springfield, Mo.
	KARK	4	Little Rock.
	KTHV	11	Do.
Ouachita	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
	KTVE	10	Monroe-El Dorado.
Perry	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Phillips	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KATV	7	Little Rock.
Pike	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
Poinsett	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KAIT	8	Jonesboro.
Polk	KARK	4	Little Rock.
	KTHV	11	Do.
	KFSA	5	Fort Smith.
	KTAL	6	Shreveport-Texarkana.
	KATV	7	Little Rock.
Pope	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Prairie	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Pulaski	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Randolph	KAIT	8	Jonesboro.
	WREC	3	Memphis.
	WMC	5	Do.
St. Francis	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
	KATV	7	Little Rock.
Saline	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Scott	KFSA	5	Fort Smith.
	KARK	4	Little Rock.
	KTUL	8	Tulsa.
Searcy	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Sebastian	KYTV	3	Springfield, Mo.
	KFSA	5	Fort Smith.
	KTUL	8	Tulsa.
Sevier	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Sharp*	KAIT	8	Jonesboro.
	KARK	4	Little Rock.
	WMC	5	Memphis.
Stone	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Union	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	KATV	7	Little Rock.
	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
Van Buren	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Washington	KOTV	6	Tulsa.
	KTUL	8	Do.
	KFSA	5	Fort Smith.
	KODE	12	Joplin-Pittsburg.
White	KARK	4	Little Rock.
	KATV	7	Do.
	KTHV	11	Do.
Woodruff	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
Yell	KARK	4	Do.
	KATV	7	Do.
	KTHV	11	Do.
	KFSA	5	Fort Smith.
CALIFORNIA			
Alameda East	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KGSC	36	Do.
Alameda West	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
	KBHK	44	Do.
Alpine	KTVN	2	Reno.
	KCRL	4	Do.
	KOLO	8	Do.
Amador	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
Butte	KRCR	7	Chico-Redding.
	KHSL	12	Do.
	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
Calaveras	KCRA	3	Do.
	KXTV	10	Do.
	KOVR	13	Do.
Colusa	KCRA	3	Do.
	KXTV	10	Do.
	KOVR	13	Do.
	KRCR	7	Chico-Redding.
	KHSL	12	Do.
Contra Costa East.	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
	KTVU	2	San Francisco.
	KPIX	5	Do.

County	Call letters and channel numbers		Market name
CALIFORNIA—Continued			
Contra Costa West.	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
	KBHK	44	Do.
Del Norte	KIEM	3	Eureka.
	KVIQ	6	Do.
El Dorado East.	----------		Over 90 percent cable penetration.
El Dorado West.	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
Fresno	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
Glenn	KRCR	7	Chico-Redding.
	KHSL	12	Do.
Humboldt	KIEM	3	Eureka.
	KVIQ	6	Do.
Imperial	KECC	9	El Centro.
	KCOP	13	Los Angeles.
	KBLU	13	Yuma.
	KHBC	3	Mexico.
Inyo	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KOLO	8	Reno.
Kern East	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Kern West	KJTV	17	Bakersfield.
	KERO	23	Do.
	KBAK	29	Do.
Kings	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
	KERO	23	Bakersfield.
	KBAK	29	Do.
Lake	KCRA	3	Sacramento-Stockton.
	KOVR	13	Do.
	KTVU	2	San Francisco.
Lassen	KTVN	2	Reno.
	KCRL	4	Do.
	KOLO	8	Do.
Los Angeles	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Madera	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
Marin	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
Mariposa	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
	KOVR	13	Sacramento-Stockton.
Mendocino	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KIEM	3	Eureka.

County	Call letters and channel numbers		Market name
CALIFORNIA—Continued			
Merced	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
Modoc	KBCR	7	Chico-Redding.
	KOTI	2	Klamath Falls.
	KMED	10	Medford.
	KOLO	8	Reno.
Mono	KOLO	8	Do.
	KCRA	3	Sacramento-Stockton.
	KPIX	5	San Francisco.
	KGO	7	Do.
	KTVU	2	Do.
Monterey East	KSBW	8	Salinas-Monterey.
	KNTV	11	Do.
	KMST	46	Do.
	KTVU	2	San Francisco.
Monterey West	KSBW	8	Salinas-Monterey.
	KNTV	11	Do.
	KMST	46	Do.
	KTVU	2	San Francisco.
Napa North	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
Napa South	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
Nevada East	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KOLO	8	Reno.
	KTVU	2	San Francisco.
Nevada West	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
Orange North	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Orange South	KNXT	2	Do.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Placer East	KOLO	8	Reno.
Placer West	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
Plumas	KCRA	3	Do.
	KTXL	40	Do.
	KHSL	12	Chico-Redding.
Riverside East.	KTVK	3	Phoenix.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
Riverside West.	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Riverside Central.	KNXT	2	Do.
	KNBC	4	Do.
	KTLA	5	Do.

County	Call letters and channel numbers		Market name
CALIFORNIA—Continued			
Riverside Central.	KABC	7	Los Angeles
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Sacramento	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
San Benito	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KSBW	8	Salinas-Monterey.
	KNTV	11	Do.
San Bernardino East.	KTVK	3	Phoenix.
	KPHO	5	Do.
	KOOL	10	Do.
	KTAR	12	Do.
San Bernardino West.	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
San Diego	XETV	6	San Diego.
	KFMB	8	Do.
	KOGO	10	Do.
	KCST	39	Do.
	KCOP	13	Los Angeles.
	KNBC	4	Do.
San Francisco.	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
San Joaquin	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
San Luis Obispo.	KSBY	6	Salinas-Monterey.
	KEYT	3	Santa Barbara-Santa Maria.
	KCOY	12	Do.
San Mateo	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
	KBHK	44	Do.
Santa Barbara North.	KEYT	3	Santa Barbara-Santa Maria.
	KCOY	12	Do.
	KSBY	6	Salinas-Monterey.
Santa Barbara South.	KEYT	3	Santa Barbara-Santa Maria.
	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.

County	Call letters and channel numbers		Market name
CALIFORNIA—Continued			
Santa Clara East.*	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
	KBHK	44	Do.
	KSBW	8	Salinas-Monterey.
	KNTV	11	Do.
Santa Clara West.	KTVU	2	San Francisco.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
	KEMO	20	Do.
	KBHK	44	Do.
	KNTV	11	Salinas-Monterey.
Santa Cruz	KSBW	8	Do.
	KNTV	11	Do.
	KMST	46	Do.
	KTVU	2	San Francisco.
Shasta	KRCR	7	Chico-Redding.
	KHSL	12	Do.
Sierra	KCRL	4	Reno.
	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KTVU	2	San Francisco.
	KRON	4	Do.
Siskiyou	KRCR	7	Chico-Redding.
	KHSL	12	Do.
	KMED	10	Medford.
Solano East	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
	KTVU	2	San Francisco.
	KPIX	5	Do.
	KGO	7	Do.
	KRON	4	Do.
Solano West	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
Sonoma North.	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
Sonoma South.	KTVU	2	Do.
	KRON	4	Do.
	KPIX	5	Do.
	KGO	7	Do.
Stanislaus	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
Sutter*	KCRA	3	Do.
	KXTV	10	Do.
	KOVR	13	Do.
	KHSL	12	Chico-Redding.
	KTVU	2	San Francisco.
Tehama	KRCR	7	Chico-Redding.
	KHSL	12	Do.
Trinity	KRCR	7	Do.
	KHSL	12	Do.
Tulare	KMJ	24	Fresno.
	KFRE	30	Do.
	KJEO	47	Do.
	KJTV	17	Bakersfield.
	KERO	23	Do.
	KBAK	29	Do.
Tuolumne	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KSBW	8	Salinas-Monterey.

County	Call letters and channel numbers		Market name
CALIFORNIA—Continued			
Tuolumne	KTVU	2	San Francisco.
	KRON	4	Do.
Ventura	KNXT	2	Los Angeles.
	KNBC	4	Do.
	KTLA	5	Do.
	KABC	7	Do.
	KHJ	9	Do.
	KTTV	11	Do.
	KCOP	13	Do.
Yolo	KCRA	3	Sacramento-Stockton.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
Yuba	KCRA	3	Do.
	KXTV	10	Do.
	KOVR	13	Do.
	KTXL	40	Do.
	KHSL	12	Chico-Redding.

Census county divisions in split counties:
Alameda East: Livermore, Pleasanton.
Alameda West: All other.
Contra Costa East: Ambrose, Antioch, Brentwood-Bryon, Clayton-Tassajara, Martinez, Oakley-Bethel, Pittsburg, Pleasant Hill, Port Chicago.
Contra Costa West: All other.
El Dorado East: Lake Valley.
El Dorado West: All other.
Kern East: East Kern, Tehachapi.
Kern West: All other.
Monterey West: Carmel, Carmel Valley, Fort Ord, Monterey, Monterey Penin., Pacific Grove, Seaside.
Monterey East: All other.
Napa North: Angwin, Berryessa, Calistoga, St. Helena.
Napa South: All other.
Nevada East: Donner.
Nevada West: All other.
Orange North: Anaheim-Garden Grove, Buena Park-Cypress, Fullerton-La Habra, Santa Ana Canyon, Santa Ana-Orange.
Orange South: All other.
Placer East: Lake Tahoe.
Placer West: All other.
Riverside East: Palo Verde.
Riverside Central: Cathedral City-Palm Desert, Chuckwalla, Coachella Valley, Desert Hot Springs, Idyllwild, Palm Springs, San Gorgonio Pass.
Riverside West: All other.
San Bernardino East: Needles.
San Bernardino West: All other.
Santa Barbara North: Cuyama, Guadalupe, Lompoc Valley, Santa Maria, Santa Maria Valley, Santa Ynez Valley.
Santa Barbara South: All other.
Santa Clara East: Diablo Range, Gilroy, Llagas-Uvas, Morgan Hill, San Martin.
Santa Clara West: All other.
Solano East: Dixon, Fairfield-Suisun, Rio Vista, Vacaville.
Solano West: All other.
Sonoma South: Petaluma, Petaluma Rural, Sonoma.
Sonoma North: All other.

County	Call letters and channel numbers		Market name
COLORADO			
Adams	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Alamosa	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
	KRDO	13	Colorado Springs-Pueblo.
Arapahoe	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Archuleta	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Baca	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
Bent	KOAA	5	Do.
	KKTV	11	Do.
	KRDO	13	Do.
Boulder	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Chaffee	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KOAA	5	Colorado Springs-Pueblo.
Cheyenne	KAYS+	7	Wichita-Hutchinson.
	KKTV	11	Colorado Springs-Pueblo.
	KRDO	13	Do.
Clear Creek	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Conejos	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Costilla	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Crowley	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
Custer	KOAA	5	Do.
	KKTV	11	Do.
	KRDO	13	Do.
Delta	KREX	5	Grand Junction.
	KREY	10	Do.
	KBTV	9	Denver.
Denver	KWGN	2	Do.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Dolores	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Douglas	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KRDO	13	Colorado Springs-Pueblo.
Eagle	KOA	4	Denver.
	KLZ	7	Do.
	KBTV	9	Do.
Elbert	KWGN	2	Do.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KKTV	11	Colorado Springs-Pueblo.
	KRDO	13	Do.

County	Call letters and channel numbers		Market name
	COLORADO—Continued		
El Paso	KOAA	5	Colorado Springs-Pueblo
	KKTV	11	Do.
	KRDO	13	Do.
Fremont	KOAA	5	Do.
	KKTV	11	Do.
	KRDO	13	Do.
Garfield	KREX	5	Grand Junction.
	KOA	4	Denver.
Gilpin	KWGN	2	Do.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Grand	KWGN	2	Do.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Gunnison	KOAA	5	Colorado Springs-Pueblo.
	KBTV	9	Denver.
	KREX	5	Grand Junction.
	KREY	10	Do.
Hinsdale	KREX	5	Do.
	KOAA	5	Colorado Springs-Pueblo.
Huerfano	KOAA	5	Do.
	KKTV	11	Do.
	KRDO	13	Do.
Jackson	KOA	4	Denver.
	KFBC	5	Cheyenne.
Jefferson	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Kiowa	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
	KAYS+	7	Wichita-Hutchinson.
Kit Carson	KAYS+	7	Do.
Lake	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
La Plata	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
	KREZ	6	Grand Junction.
Larimer	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KFBC	5	Cheyenne.
Las Animas	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
Lincoln	KOAA	5	Do.
	KKTV	11	Do.
	KRDO	13	Do.
	KWGN	2	Denver.
	KOA	4	Do.
Logan	KTVS	3	Cheyenne.
Mesa	KREX	5	Grand Junction.
Mineral	KOAA	5	Colorado Springs-Pueblo.
	KOAT	7	Albuquerque.
	KGGM	13	Do.
Moffat	KOA	4	Denver.
	KLZ	7	Do.
	KBTV	9	Do.
Montezuma	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.

County	Call letters and channel numbers		Market name
	COLORADO—Continued		
Montrose	KREY	10	Grand Junction.
	KOAA	5	Colorado Springs-Pueblo.
	KBTV	9	Denver.
	KUTV	2	Salt Lake City.
Morgan	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KTVS	3	Cheyenne.
Otero	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
Ouray	KREX	5	Grand Junction.
Park	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Phillips	KTVS	3	Cheyenne.
	KHOL+	13	Lincoln-Hastings-Kearney.
Pitkin*	N.A.		
Prowers	KOAA	5	Colorado Springs-Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
	KGLD	11	Wichita-Hutchinson.
Pueblo	KOAA	5	Colorado Spring Pueblo.
	KKTV	11	Do.
	KRDO	13	Do.
Rio Blanco	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Rio Grande*	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Routt	KOA	4	Denver.
	KLZ	7	Do.
	KBTV	9	Do.
Saguache	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
	KOAA	5	Colorado Springs-Pueblo.
San Juan	KREX	5	Grand Junction.
San Miguel	KREX	5	Do.
Sedgwick	KTVS	3	Cheyenne.
	KHOL+	13	Lincoln-Hastings-Kearney.
	KNOP	2	North Platte.
Summit	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Teller	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KKTV	11	Colorado Springs-Pueblo.
	KRDO	13	Do.
Washington	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
	KTVS	3	Cheyenne.
Weld	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Yuma	KAYS+	7	Wichita-Hutchinson.
	KOMC	8	Do.
	KTVS	3	Cheyenne.
	KHOL+	13	Lincoln-Hastings-Kearney.

County	Call letters and channel numbers		Market name
CONNECTICUT			
Fairfield	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WNHC	8	Hartford-New Haven.
Hartford	WTIC	3	Do.
	WNHC	8	Do.
	WHCT	18	Do.
	WHNB	30	Do.
Litchfield	WTIC	3	Do.
	WNHC	8	Do.
	WHNB	30	Do.
	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WPIX	11	Do.
Middlesex	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
	WHNB	30	Do.
	WNEW	5	New York.
New Haven	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
New London	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WHDH	5	Boston.
	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
Tolland	WTIC	3	Do.
	WNHC	8	Do.
	WHNB	30	Do.
	WBZ	4	Boston.
	WHYN	40	Springfield, Mass.
Windham	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
DELAWARE			
Kent	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WMAR	2	Baltimore.
	WBAL	11	Do.
New Castle	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Sussex	WBOC	16	Salisbury.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
DISTRICT OF COLUMBIA			
District of Columbia	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
FLORIDA			
Alachua	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WESH	2	Orlando-Daytona Beach.
Baker	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Bay	WJHG	7	Panama City.
	WTVY	4	Dothan.
Bradford	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Brevard	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Broward	WTVJ	4	Miami.
	WCKT	7	Do.
	WPLG	10	Do.
	WAJA	23	Do.
	WPTV	5	West Palm Beach.
	WEAT	12	Do.
Calhoun	WJHG	7	Panama City.
	WTVY	4	Dothan.
	WCTV	6	Tallahassee.
Charlotte	WFLA	8	Tampa-St. Petersburg.
	WTVT	13	Do.
	WINK	11	Fort Myers.
Citrus	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Clay	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Collier*			90 percent cable penetration.
Columbia	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
DADE	WTVJ	4	Miami.
	WCIX	6	Do.
	WCKT	7	Do.
	WPLG	10	Do.
	WAJA	23	Do.
De Soto	WFLA	8	Tampa-St. Petersburg.
	WTVT	13	Do.
	WTOG	44	Do.
	WINK	11	Fort Myers.
Dixie	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WESH	2	Orlando-Daytona Beach.
	WCTV	6	Tallahassee.
	WLCY	10	Tampa-St. Petersburg.
Duval	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Escambia	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.

County	Call letters and channel numbers		Market name
FLORIDA—Continued			
Flagler	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
	WJXT	4	Jacksonville, Fla.
Franklin	WCTV	6	Tallahassee.
	WJHG	7	Panama City.
Gadsden	WCTV	6	Tallahassee.
	WTVY	4	Dothan.
	WJHG	7	Panama City.
Gilchrist	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WESH	2	Orlando-Daytona Beach.
Glades	WPTV	5	West Palm Beach.
	WEAT	12	Do.
	WINK	11	Fort Myers.
	WTVJ	4	Miami.
Gulf	WJHG	7	Panama City.
	WTVY	4	Dothan.
	WCTV	6	Tallahassee.
Hamilton*	WJXT	4	Jacksonville, Fla.
	WCTV	6	Tallahassee.
Hardee	WFLA	8	Tampa-St. Petersburg.
	WTVT	13	Do.
	WTOG	44	Do.
Hendry*	WINK	11	Fort Myers.
	WBBH	20	Do.
	WPTV	5	West Palm Beach.
	WEAT	12	Do.
Hernando	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
Highlands	WFLA	8	Do.
	WTVT	13	Do.
	WINK	11	Fort Myers.
Hillsborough	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
Holmes	WTVY	4	Dothan.
	WJHG	7	Panama City.
Indiana River	WPTV	5	West Palm Beach.
	WEAT	12	Do.
	WTVX	34	Fort Pierce-Vero Beach.
Jackson	WTVY	4	Dothan.
	WJHG	7	Panama City.
	WCTV	6	Tallahassee.
Jefferson	WCTV	6	Do.
	WALB	10	Albany, Ga.
Lafayette	WCTV	6	Tallahassee.
Lake*	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Lee	WINK	11	Fort Myers.
	WBBH	20	Do.
Leon	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
	WJHG	7	Panama City.
Levy*	WESH	2	Orlando-Daytona Beach.
	WJXT	4	Jacksonville, Fla.
	WLCY	10	Tampa-St. Petersburg.
	WTVT	13	Do.
Liberty	WCTV	6	Tallahassee.
	WJHG	7	Panama City.
Madison	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.

County	Call letters and channel numbers		Market name
FLORIDA—Continued			
Manatee	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
Marion	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Martin	WPTV	5	West Palm Beach.
	WEAT	12	Do.
	WTVJ	4	Miami.
Monroe	WTVJ	4	Do.
	WCIX	6	Do.
	WCKT	7	Do.
	WPLG	10	Do.
Nassau	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Okaloosa	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
	WJHG	7	Panama City.
Okeechobee	WPTV	5	West Palm Beach.
	WEAT	12	Do.
Orange	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Osceola	WESH	2	Do.
	WDBO	6	Do.
	WFTV	9	Do.
Palm Beach	WPTV	5	West Palm Beach.
	WEAT	12	Do.
	WTVJ	4	Miami.
	WCKT	7	Do.
	WPLG	10	Do.
Pasco	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
Pinellas	WFLA	8	Do.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
Polk	WFLA	8	Do.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.
	WDBO	6	Orlando-Daytona Beach.
	WFTV	9	Do.
Putnam	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
St. Johns	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
St. Lucie	WPTV	5	West Palm Beach.
	WEAT	12	Do.
	WTVX	34	Fort Pierce-Vero Beach.
Santa Rosa	WEAR	3	Mobile-Pensacola
	WKRG	5	Do.
	WALA	10	Do.
Sarasota	WFLA	8	Tampa-St. Petersburg.
	WLCY	10	Do.
	WTVT	13	Do.
	WTOG	44	Do.

County	Call letters and channel numbers		Market name
FLORIDA—Continued			
Seminole	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Sumter	WESH	2	Do.
	WDBO	6	Do.
	WFTV	9	Do.
	WFLA	8	Tampa-St. Petersburg.
	WTVT	13	Do.
Suwannee	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WCTV	6	Tallahassee.
Taylor	WCTV	6	Do.
Union	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Volusia	WESH	2	Orlando-Daytona Beach.
	WDBO	6	Do.
	WFTV	9	Do.
Wakulla	WCTV	6	Tallahassee.
	WJHG	7	Panama City.
Walton	WJHG	7	Do.
	WTVY	4	Dothan.
	WEAR	3	Mobile-Pensacola.
Washington	WTVY	4	Dothan.
	WJHG	7	Panama City.
GEORGIA			
Appling	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
	WJBF	6	Augusta.
	WJXT	4	Jacksonville, Fla.
	WCSC	5	Charleston, S.C.
Atkinson	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Bacon	WALB	10	Albany, Ga.
	WJXT	4	Jacksonville, Fla.
	WSAV	3	Savannah.
Baker	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WTVY	4	Dothan.
	WCTV	6	Tallahassee.
Baldwin	WMAZ	13	Macon.
	WSB	2	Atlanta.
	WAGA	5	Do.
Banks	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
Barrow	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
Bartow	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Ben Hill	WALB	10	Albany, Ga.
	WMAZ	13	Macon.
Berrien	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Bibb	WMAZ	13	Macon.
	WCWB	41	Do.
	WSB	2	Atlanta.
	WTVM	9	Columbus, Ga.
Bleckley	WMAZ	13	Macon.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Brantley	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
Brooks	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Bryan	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
Bulloch	WSAV	3	Do.
	WTOC	11	Do.
	WJBF	6	Augusta.
	WRDW	12	Do.
Burke	WJBF	6	Do.
	WRDW	12	Do.
Butts	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Calhoun	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WTVY	4	Dothan.
	WCTV	6	Tallahassee.
Camden	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Candler	WJBF	6	Augusta.
	WRDW	12	Do.
	WSAV	3	Savannah.
	WTOC	11	Do.
Carroll	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Catoosa	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Charlton	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WJKS	17	Do.
Chatham	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
Chattahoochee	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Chattooga	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Cherokee	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Clarke	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
Clay	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WTVY	4	Dothan.
Clayton	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Clinch	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Cobb	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Coffee	WALB	10	Albany, Ga.
Colquitt	WALB	10	Do.
	WCTV	6	Tallahassee.
Columbia	WJBF	6	Augusta.
	WRDW	12	Do.
	WATU	26	Do.
Cook	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Coweta	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Crawford	WMAZ	13	Macon.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSB	2	Atlanta.
Crisp	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
	WMAZ	13	Macon.
Dade	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Dawson	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Decatur	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
	WTVY	4	Dothan.
De Kalb	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Dodge	WMAZ	13	Macon.
	WALB	10	Albany, Ga.
Dooly	WMAZ	13	Macon.
	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Dougherty	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WCTV	6	Tallahassee.
Douglas	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Early	WTVY	4	Dothan.
	WTVM	9	Columbus, Ga.
	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Echols	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Effingham	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
Elbert	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WJBF	6	Augusta.
Emanuel	WJBF	6	Do.
	WRDW	12	Do.
Evans	WSAV	3	Savannah.
	WTOC	11	Do.
	WJBF	6	Augusta.
Fannin	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WATL	36	Do.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Fayette	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Floyd	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Forsyth	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Franklin	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Fulton	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Gilmer*	WSB	2	Do.
	WAGA	5	Do.
	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Glascock	WJBF	6	Augusta.
	WRDW	12	Do.
Glynn	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
Gordon	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
Grady	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Greene	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WJBF	6	Augusta.
Gwinnett	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Habersham*	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
Hall	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Hancock	WJBF	6	Augusta.
	WRDW	12	Do.
	WMAZ	13	Macon.
Haralson	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Harris	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSB	2	Atlanta.
Hart	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.

County	Call letters and channel numbers		Market name
	GEORGIA—Continued		
Heard	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Henry	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Houston	WMAZ	13	Macon.
	WCWB	41	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Irwin*	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Jackson	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
Jasper	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
	WMAZ	13	Macon.
Jeff Davis	WALB	10	Albany, Ga.
	WJXT	4	Jacksonville, Fla.
	WSAV	3	Savannah.
	WTOC	11	Do.
Jefferson	WJBF	6	Augusta.
	WRDW	12	Do.
Jenkins	WJBF	6	Do.
	WRDW	12	Do.
Johnson	WMAZ	13	Macon.
	WJBF	6	Augusta.
	WRDW	12	Do.
Jones	WMAZ	13	Macon.
	WCWB	41	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Lamar	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WMAZ	13	Macon.
Lanier	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Laurens	WMAZ	13	Macon.
	WCWB	41	Do.
Lee	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
Liberty	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
Lincoln	WJBF	6	Augusta.
	WRDW	12	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
Long	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
Lowndes	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Lumpkin	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
McDuffie	WJBF	6	Augusta.
	WRDW	12	Do.
McIntosh	WSAV	3	Savannah.
	WTOC	11	Do.
	WJXT	4	Jacksonville, Fla.
Macon	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
	WMAZ	13	Macon.

County	Call letters and channel numbers		Market name
	GEORGIA—Continued		
Madison	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Marion	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Meriwether	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Miller	WTVY	4	Dothan.
	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Mitchell	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Monroe	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WMAZ	13	Macon.
Montgomery	WMAZ	13	Do.
	WJBF	6	Augusta.
	WSAV	3	Savannah.
	WTOC	11	Do.
Morgan	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Murray	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
Muscogee	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WYEA	38	Do.
Newton	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Oconee	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
Oglethorpe	WSB	2	Do
	WAGA	5	Do.
	WQXI	11	Do.
	WJBF	6	Augusta.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Paulding	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Peach	WMAZ	13	Macon.
	WCWB	41	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Pickens	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Pierce	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
Pike	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Polk	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Pulaski	WMAZ	13	Macon.
	WRBL	3	Columbus, Ga.
Putnam	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Quitman	WMAZ	13	Macon.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSFA	12	Montgomery.
Rabun	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Randolph	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
	WTVY	4	Dothan.
Richmond	WJBF	6	Augusta.
	WRDW	12	Do.
	WATU	26	Do.
Rockdale	WSB	2	Do.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Schley	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
Screven	WJBF	6	Augusta.
	WRDW	12	Do.
	WSAV	3	Savannah.
	WTOC	11	Do.
Seminole	WTVY	4	Dothan.
	WALB	10	Albany, Ga.
	WCTV	6	Tallahassee.
Spalding	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WATL	36	Do.
Stephens	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Stewart	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Sumter	WRBL	3	Do.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
Talbot	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Taliaferro	WJBF	6	Augusta.
	WRDW	12	Do.
	WAGA	5	Atlanta.
Tattnall	WSAV	3	Savannah.
	WTOC	11	Do.
Taylor	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WMAZ	13	Macon.
Telfair	WALB	10	Albany, Ga.
	WMAZ	13	Macon.
Terrell	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WALB	10	Albany, Ga.
Thomas	WCTV	6	Tallahassee.
	WALB	10	Albany, Ga.
Tift	WALB	10	Do.
	WCTV	6	Tallahassee.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Toombs	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
	WJBF	6	Augusta.
	WRDW	12	Do.
Towns	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WRCB	3	Chattanooga.
Treutlen	WMAZ	13	Macon.
	WJBF	6	Augusta.
	WRDW	12	Do.
Troup	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Turner	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WCTV	6	Tallahassee.
Twiggs	WMAZ	13	Macon.
	WCWB	41	Do.
Union	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WRCB	3	Chattanooga.
Upson	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
	WMAZ	13	Macon.
Walker	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Walton	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
	WTCG	17	Do.
	WATL	36	Do.
Ware	WJXT	4	Jacksonville, Fla.
	WFGA	12	Do.
Warren	WJBF	6	Augusta.
	WRDW	12	Do.
	WATU	26	Do.
Washington	WJBF	6	Do.
	WRDW	12	Do.
	WMAZ	13	Macon.
Wayne	WSAV	3	Savannah.
	WTOC	11	Do.
	WJCL	22	Do.
	WJXT	4	Jacksonville, Fla.
Webster	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Wheeler	WMAZ	13	Macon.
	WJBF	6	Augusta.
White	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Whitfield	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
Wilcox	WMAZ	13	Macon.
	WALB	10	Albany, Ga.
	WRBL	3	Columbus, Ga.
	WTVM	9	Do.
Wilkes	WJBF	6	Augusta.
	WRDW	12	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
Wilkinson	WMAZ	13	Macon.
	WCWB	41	Do.

County	Call letters and channel numbers		Market name
GEORGIA—Continued			
Worth	WALB	10	Albany, Ga.
	WTVM	9	Columbus, Ga.
	WCTV	6	Tallahassee.
	WRBL	3	Columbus.
HAWAII			
Hawaii 1	KHON+	2	Honolulu.
	KHVH+	4	Do.
	KGMB+	9	Do.
Hawaii 2	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Hawaii 3	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Hawaii 4	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Hawaii 5	KHVH+	4	Do.
Honolulu 1	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Honolulu 2	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
	KIKU+	13	Do.
Honolulu 3	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Honolulu 4	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
	KIKU+	13	Do.
Kauai	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Maui 1	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
	KIKU+	13	Do.
Maui 2	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Maui 3	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.
Maui 4	KHON+	2	Do.
	KHVH+	4	Do.
	KGMB+	9	Do.

Census county divisions in split counties:
Hawaii 1: North Kona, South Kona.
Hawaii 2: Keaau-Mountain View, Pahoa-Kalapana.
Hawaii 3: Hilo, North Hilo, Papaikow-Wailea.
Hawaii 4: Honokaa-Kukuihaela, North Hohala. Paauhau-Paaullo, South Kohala.
Hawaii 5: Kau.
Honolulu 1: Koolaupoko.
Honolulu 2: Koolauloa, Waialua, Wahiawa.
Honolulu 3: Waianae.
Honolulu 4: Ewa, Honolulu.
Maui 1: Lahaina, Lanai City.
Maui 2: Kahaului, Kihei, Puunene, Sprecklesville, Waihee-Waikapu, Walluku.
Maui 3: Haiku-Pauwela, Hana, Kula, Makawao-Paia.
Maui 4: East Molokai, West Molokai, Kalawao.

County	Call letters and channel numbers		Market name
IDAHO			
Ada	KBOI	2	Boise.
	KTVB+	7	Do.
Adams	KBOI	2	Do.
	KTVB+	7	Do.
Bannock	KID	3	Idaho Falls-Pocatello.
	KTLE	6	Do.
	KIFI	8	Do.
Bear Lake	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Benewah	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Bingham	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Blaine	KMVT	11	Twin Falls.
	KID	3	Idaho Falls-Pocatello.
Boise	KBOI	2	Boise.
	KTVB+	7	Do.
Bonner	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Bonneville	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Boundary	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Butte	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Camas	KMVT	11	Twin Falls.
Canyon	KBOI	2	Boise.
	KTVB+	7	Do.
Caribou	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Cassia	KMVT	11	Twin Falls.
	KID	3	Idaho Falls-Pocatello.
	KTLE	6	Do.
	KIFI	8	Do.
Clark	KID	3	Do.
	KIFI	8	Do.
Clearwater	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KLEW	3	Yakima.
Custer	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Elmore	KBOI	2	Boise.
	KTVB+	7	Do.
Franklin	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Fremont	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Gem	KBOI	2	Boise.
	KTVB+	7	Do.
Gooding*	KMVT	11	Twin Falls.
Idaho	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KLEW	3	Yakima.
Jefferson	KID	3	Idaho Falls-Pocatell.
	KIFI	8	Do.
Jerome	KMVT	11	Twin Falls.
Kootenai	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Latah	KREM	2	Do.
	KXLY	4	Do.
	KHQ	6	Do.
	KLEW	3	Yakima.

County	Call letters and channel numbers		Market name
IDAHO—Continued			
Lemhi	KID	3	Idaho Falls-Pocatello.
	KGVO+	13	Missoula.
Lewis	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Lincoln	KMVT	11	Twin Falls
Madison	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Minidoka	KMVT	11	Twin Falls.
	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Nez Perce	KLEW	3	Yakima.
	KREM	2	Spokane
	KXLY	4	Do.
	KHQ	6	Do.
Oneida	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Owyhee	KBOI	2	Boise.
	KTVB+	7	Do.
Payette	KBOI	2	Do.
	KTVB+	7	Do.
Power	KID	3	Idaho Falls-Pocatello.
	KTLE	6	Do.
	KIFI	8	Do.
Shoshone	KREM	2	Spokane
	KXLY	4	Do.
	KHQ	6	Do.
Teton	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Twin Falls	KMVT	11	Twin Falls.
	KTVB+	7	Boise.
Valley	KBOI	2	Do.
	KTVB+	7	Do.
Washington	KBOI	2	Do.
	KTVB+	7	Do.
ILLINOIS			
Adams	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
Alexander	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Bond	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Boone	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
	WGN	9	Chicago.
Brown	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
Bureau*	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Calhoun	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Carroll	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WREX	13	Rockford.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
Cass	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
	WMBD	31	Peoria.
	WICS	20	Springfield-Decatur-Champaign.
	WIRL	19	Peoria.
Champaign	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WAND	17	Do.
Christian	WCIA	3	Do.
	WAND	17	Do.
	WICS	20	Do.
Clark	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
Clay	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
	KMOX	4	St. Louis.
Clinton	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Coles	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WAND	17	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Cook	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Crawford	WTWO	2	Terre Haute.
	WTHI	10	Do.
Cumberland	WTWO	2	Do.
	WTHI	10	Do.
	WCIA	3	Springfield-Decatur-Champaign.
	WICS	20	Do.
	WAND	17	Do.
Dekalb	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
De Witt	WCIA	3	Springfield-Decatur-Champaign.
	WAND	17	Do.
	WICS	20	Do.
	WEEK	25	Peoria.
Douglas	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WAND	17	Do.
Dupage	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Edgar	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
	WCIA	3	Springfield-Decatur-Champaign.
Edwards	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Effingham	WCIA	3	Springfield-Decatur Champaign.
	WTWO	2	Terre Haute.
	WTHI	10	Do.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
Fayette	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Ford	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WAND	17	Do.
Franklin	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Fulton	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Gallatin	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Greene	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Grundy	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Hamilton	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	WTVW	7	Evansville.
Hancock	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
Hardin	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Henderson	WHBF	4	Davenport-Rock Island (Quad City)
	WOC	6	Do.
	WQAD	8	Do.
Henry	WHBF	4	Do.
	WOC	6	Do.
	WQAD	8	Do.
Iroquois	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Jackson	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	KPLR	11	St. Louis.
Jasper	WTWO	2	Terre Haute.
	WTHI	10	Do.
Jefferson	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Jersey	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Jo Daviess	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WISC	3	Madison.
	WREX	13	Rockford.
	WTVO	17	Do.
Johnson	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Kane	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Kankakee	WBBM	2	Do.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Kendall	WBBM	2	Do.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Knox	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Lake	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
La Salle	WBBM	2	Do.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WEEK+	25	Peoria.
Lawrence	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
Lee	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WGN	9	Chicago.
	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
Livingston	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
Livingston	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
	WCIA	3	Springfield-Decatur-Champaign.
Logan	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
	WCIA	3	Springfield-Decatur-Champaign.
	WAND	17	Do.
	WICS	20	Do.
McDonough	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
McHenry	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
McLean	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
	WCIA	3	Springfield-Decatur-Champaign.
	WAND	17	Do.
Macon	WCIA	3	Do.
	WAND	17	Do.
	WICS	20	Do.
Macoupin	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Madison	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Marion	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Marshall	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Mason	WIRL	19	Do.
	WEEK+	25	Do.
	WMBD	31	Do.
Massac	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Menard	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
	WAND	17	Springfield-Decatur-Champaign.
	WICS	20	Do.
Mercer	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Monroe	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
Montgomery	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	WICS	20	Springfield-Decatur-Champaign.
Morgan	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
	KTVI	2	St. Louis.
	KPLR	11	Do.
	WICS	20	Springfield-Decatur-Champaign.
Moultrie	WCIA	3	Do.
	WICD	15	Do.
	WAND	17	Do.
	WICS	20	Do.
Ogle	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
Peoria	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Perry	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	WSIL+	3	Paducah-Cape Girardeau-Harriburg.
	KFVS	11	Do.
Piatt	WCIA	3	Springfield-Decatu Champaign.
	WICD	15	Do.
	WAND	17	Do.
	WICS	20	Do.
Pike	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
	KTVI	2	St. Louis.
	KSD	5	Do.
	KPLR	11	Do.
Pope	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Pulaski	WSIL+	3	Do.
	WPSD	6	Do.
	KFVS	12	Do.
Putnam	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Randolph	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Richland	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
Rock Island	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.

County	Call letters and channel numbers		Market name
ILLINOIS—Continued			
St. Clair	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Saline	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Sangamon	WCIA	3	Springfield-Decatur-Champaign.
	WAND	17	Do.
	WICS	20	Do.
Schuyler	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
Scott	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
	KTVI	2	St. Louis.
	KSD	5	Do.
	KPLR	11	Do.
Shelby	WCIA	3	Springfield-Decatur-Champaign.
	WAND	17	Do.
	WICS	20	Do.
Stark	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Stephenson	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
	WISC	3	Madison.
Tazewell	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
Union	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Vermilion	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WAND	17	Do.
	WTWO	2	Terre Haute.
Wabash	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Warren	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Washington	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Wayne	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
White	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
White	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
Whiteside	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Will	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Williamson	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Winnebago	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
Woodford	WIRL	19	Peoria.
	WEEK+	25	Do.
	WMBD	31	Do.
INDIANA			
Adams	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Allen	WANE	15	Do.
	WPTA	21	Do.
	WKJG	33	Do.
Bartholomew	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Benton	WTTV	4	Do.
	WFBM	6	Do.
	WLWI	13	Do.
	WGN	9	Chicago.
	WLFI	18	Lafayette, Ind.
	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
Blackford	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Boone	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Brown	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Carroll	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WLFI	18	Lafayette, Ind.
Cass	WFBM	6	Indianapolis.
	WISH	8	Do.
	WLWI	13	Do.
	WLFI	18	Lafayette, Ind.
Clark	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.

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County	Call letters and channel numbers		Market name
	INDIANA—Continued		
Clay	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Clinton	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Crawford	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTVW	7	Evansville.
Daviess	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
	WTTV	4	Indianapolis.
Dearborn	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Decatur	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
De Kalb	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Delaware	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Dubois	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WTTV	4	Indianapolis.
	WAVE	3	Louisville.
	WHAS	11	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Elkhart	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
Fayette	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WHIO	7	Dayton.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
Floyd	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Fountain	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WLWI	13	Do.
	WCIA	3	Springfield-Decatur-Champaign.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Franklin	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WTTV	4	Indianapolis.
Fulton	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
Gibson	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Grant	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.

County	Call letters and channel numbers		Market name
	INDIANA—Continued		
Greene	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WLWI	13	Do.
Hamilton	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Hancock	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Harrison	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Hendricks	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Henry	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Howard	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Huntington	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Jackson	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Jasper	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
Jay	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Jefferson	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WTTV	4	Indianapolis.
Jennings	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Johnson	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Knox	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
Kosciusko	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.

County	Call letters and channel numbers		Market name
	INDIANA—Continued		
La Grange	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WANE	15	Fort Wayne
	WPTA	21	Do.
	WKJG	33	Do.
Lake	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
La Porte	WBBM	2	Do.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
Lawrence	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Madison	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Marion	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Marshall	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WGN	9	Chicago.
Martin	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTVW	7	Evansville.
	WTTV	4	Indianapolis.
	WAVE	3	Louisville.
Miami*	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WNDU	16	South Bend-Elkhart.
Monroe	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Montgomery	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Morgan	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Newton*	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
Noble	WANE	15	Ft. Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
Ohio	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.

County	Call letters and channel numbers		Market name
	INDIANA—Continued		
Orange	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTTV	4	Indianapolis.
Owen	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Parke	WTWO	2	Do.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WLWI	13	Do.
Perry	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
Pike	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WTTV	4	Indianapolis.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Porter	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WFLD	32	Do.
Posey	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Pulaski	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
Putnam	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WTWO	2	Terre Haute.
	WTHI	10	Do.
Randolph	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WLWD	2	Dayton.
	WHIO	7	Do.
Ripley	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WTTV	4	Indianapolis.
Rush	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
St. Joseph	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WGN	9	Chicago.
Scott	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTTV	4	Indianapolis.
Shelby	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.

County	Call letters and channel numbers		Market name
INDIANA—Continued			
Spencer	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Starke	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
Steuben	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
	WKZO	3	Grand Rapids-Kalamazoo.
Sullivan	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
Switzerland	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Tippecanoe	WLFI	18	Lafayette, Ind.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Tipton	WTTV	4	Do.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Union	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WHIO	7	Dayton.
	WKTR	16	Do.
	WTTV	4	Indianapolis.
Vanderburgh	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Vermillion	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WLWI	13	Do.
	WCIA	3	Springfield-Decatur-Champaign.
Vigo	WTWO	2	Terre Haute.
	WTHI	10	Do.
	WTTV	4	Indianapolis.
Wabash	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Warren	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WLWI	13	Do.
	WCIA	3	Springfield-Decatur-Champaign.
	WICD	15	Do.
	WTHI	10	Terre Haute.
Warrick	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Washington	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTTV	4	Indianapolis.
Wayne	WLWD	2	Dayton.
	WHIO	7	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.

County	Call letters and channel numbers		Market name
INDIANA—Continued			
Wayne	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
Wells	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
White	WTTV	4	Indianapolis.
	WFBM	6	Do.
	WISH	8	Do.
	WLWI	13	Do.
	WGN	9	Chicago.
	WLFI	18	Lafayette, Ind.
Whitley	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
IOWA			
Adair	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Adams	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Allamakee	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WKBT	8	La Crosse-Eau Claire.
	KROC	10	Rochester-Mason City-Austin.
Appanoose	KTVO	3	Ottumwa-Kirksville.
	KRNT	8	Des Moines.
	WHO	13	Do.
Audubon	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Benton	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Black Hawk	WMT	2	Do.
	KWWL	7	Do.
	KCRG	9	Do.
Boone	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Bremer	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Buchanan	WMT	2	Do.
	KWWL	7	Do.
	KCRG	9	Do.
Buena Vista	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Butler	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	KGLO	3	Rochester-Mason City-Austin.
Calhoun	WOI	5	Des Moines.
	KRNT	8	Do.
	KVFD	21	Fort Dodge.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Carroll	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
	WOW	6	Omaha.

County	Call letters and channel numbers		Market name
	Iowa—Continued		
Cass	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Cedar	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Cerro Gordo	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Cherokee	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO	13	Do.
Chickasaw	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	KGLO	3	Rochester-Mason City-Austin.
	KROC	10	Do.
Clarke	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Clay	KTIV	4	Sioux City.
	KCAU	9	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Clayton	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Clinton	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Crawford	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Dallas	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Davis	KTVO	3	Ottumwa-Kirksville.
	KRNT	8	Des Moines.
	WHO	13	Do.
	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
Decatur	KRNT	8	Des Moines.
	WHO	13	Do.
	KTVO	3	Ottumwa-Kirksville.
Delaware	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Des Moines	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Dickinson	KTIV	4	Sioux City.
	KCAU	9	Do.
	KEYC	12	Mankato.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.

County	Call letters and channel numbers		Market name
	Iowa—Continued		
Dubuque	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	KDUB	40	Dubuque, Ia.
Emmet	KEYC	12	Mankato.
	KAUS	6	Rochester-Mason City-Austin.
	KCAU	9	Sioux City.
Fayette	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Floyd	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Franklin	KGLO	3	Rochester-Mason City-Austin.
	KROC	10	Do.
	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WOI	5	Des Moines.
Fremont	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Greene	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Grundy	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Guthrie	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Hamilton	WOI	5	Do.
	KRNT	8	Do.
	WHO	13	Do.
Hancock	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Hardin	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Harrison	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Henry	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	KTVO	3	Ottumwa-Kirksville.
Howard	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	KWWL	7	Cedar Rapids-Waterloo.
	KCRG	9	Do.
Humboldt	WOI	5	Des Moines.
	KRNT	8	Do.
	KVFD	21	Fort Dodge.

County	Call letters and channel numbers		Market name
	Iowa—Continued		
Ida	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Iowa	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Jackson	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Jasper	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Jefferson	KTVO	3	Ottumwa-Kirksville.
	WMT	2	Cedar Rapids-Waterloo.
	KCRG	9	Do.
	WOC	6	Davenport-Rock Island (Quad City).
	KHQA	7	Quincy-Hannibal.
Johnson	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
Jones	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Keokuk	WMT	2	Do.
	KWWL	7	Do.
	KCRG	9	Do.
	WHO	13	Des Moines.
	KTVO	3	Ottumwa-Kirksville.
Kossuth	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KVFD	21	Fort Dodge.
	KEYC	12	Mankato.
Lee	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.
Linn	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Louisa	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Lucas	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Lyon	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Madison	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Mahaska	KRNT	8	Do.
	WHO	13	Do.
	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	KTVO	3	Ottumwa-Kirksville.

County	Call letters and channel numbers		Market name
	Iowa—Continued		
Marion	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Marshall	WMT	2	Cedar Rapids. Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Mills	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Mitchell	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Monona	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Monroe	KRNT	8	Des Moines.
	WHO	13	Do.
	KTVO	3	Ottumwa-Kirksville.
Montgomery	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Muscatine	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
O'Brien	KTIV	4	Sioux City.
	KCAU	9	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Osceola	KELO+	11	Do.
	KSOO+	13	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Page	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Palo Alto	KTIV	4	Sioux City.
	KCAU	9	Do.
	KVFD	21	Fort Dodge.
	KEYC	12	Mankato.
Plymouth	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
Pocahontas	KTIV	4	Sioux City.
	KCAU	9	Do.
	KRNT	8	Des Moines.
	KVFD	21	Fort Dodge.
Polk	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Pottawattamie.	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Poweshiek	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Ringgold	WOI	5	Do.
	KRNT	8	Do.
	WHO	13	Do.
	WOW	6	Omaha.
	KQTV	2	St. Joseph.
Sac	KTIV	4	Sioux City.
	KCAU	9	Do.
	WOW	6	Omaha.

County	Call letters and channel numbers		Market name
Iowa—Continued			
Scott	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
	WQAD	8	Do.
Shelby	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Sioux	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Story	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Tama	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WHO	13	Des Moines.
Taylor	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Union	WOI	5	Des Moines
	KRNT	8	Do.
	WHO	13	Do.
	KETV	7	Omaha.
Van Buren	KTVO	3	Ottumwa-Kirksville.
	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
Wapello	KRNT	8	Des Moines.
	WHO	13	Do.
	KTVO	3	Ottumwa-Kirksville.
Warren	WOI	5	Des Moines.
	KRNT	8	Do.
	WHO	13	Do.
Washington	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WHBF	4	Davenport-Rock Island (Quad City).
	WOC	6	Do.
Wayne	KRNT	8	Des Moines.
	WHO	13	Do.
	KTVO	3	Ottumwa-Kirksville.
Webster	WOI	5	Des Moines.
	KRNT	8	Do.
	KVFD	21	Fort Dodge.
Winnebago	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	KEYC	12	Mankato.
Winneshiek	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WKBT	8	La Crosse-Eau Claire.
	KGLO	3	Rochester-Mason City-Austin.
	KROC	10	Do.
Woodbury	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Worth	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Wright*	WOI	5	Des Moines.
	KVFD	21	Fort Dodge.
	KGLO	3	Rochester-Mason City-Austin.
Kansas			
Allen	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Anderson	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	WIBW	13	Topeka.
Atchison	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
	KTSB	27	Topeka.
Barber	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
	KTEN	10	Ardmore-Ada.
Barton	KCKT	2	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Bourbon	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KCMO	5	Kansas City.
Brown	WDAF	4	Do.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
	WIBW	13	Topeka.
Butler	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Chase	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
	WIBW	13	Topeka.
Chautauqua	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Cherokee	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Cheyenne	KAYS+	7	Wichita-Hutchinson.
	KOMC	8	Do.
	KHOL+	13	Lincoln-Hastings-Kearney.
Clark	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Clay	WIBW	13	Topeka.
	KHTL	4	Lincoln-Hastings-Kearney.
Cloud	KHTL	4	Do.
	KOLN+	10	Do.
	WIBW	13	Topeka.
	KTVH	12	Wichita-Hutchinson.
Coffey	WIBW	13	Topeka.
	KOAM	7	Joplin-Pittsburg.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Comanche	KTVC	6	Wichita-Hutchinson.
	KUPK	13	Do.
Cowley	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Crawford	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.

County	Call letters and channel numbers		Market name
KANSAS—Continued			
Decatur	KOMC	8	Wichita-Hutchinson.
	KHOL+	13	Lincoln-Hastings-Kearney.
Dickinson	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
	WIBW	13	Topeka.
Doniphan	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
Douglas	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	WIBW	13	Topeka.
Edwards	KCKT	2	Wichita-Hutchinson.
	KTVC	6	Do.
	KAYS+	7	Do.
	KTVH	12	Do.
Elk	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
	KOAM	7	Joplin-Pittsburg.
	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
Ellis	KCKT	2	Do.
	KAYS+	7	Do.
Ellsworth	KCKT	2	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Finney	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Ford	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Franklin	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	WIBW	13	Topeka.
Geary	WIBW	13	Do.
	KAKE	10	Wichita-Hutchinson.
Gove	KAYS+	7	Do.
	KOMC	8	Do.
Graham	KAYS+	7	Do.
	KOMC	8	Do.
Grant	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Gray	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Greeley	KAYS+	7	Do.
	KGLD	11	Do.
Greenwood	KARD	3	Do.
	KAKE	10	Do.
	WIBW	13	Topeka.
Hamilton	KGLD	11	Wichita-Hutchinson.
	KUPK	13	Do.
Harper	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Harvey	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Haskell	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Hodgeman	KCKT	2	Do.
	KTVC	6	Do.
	KAYS+	7	Do.
	KUPK	13	Do.
Jackson	WIBW	13	Topeka.
	KTSB	27	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.

County	Call letters and channel numbers		Market name
KANSAS—Continued			
Jefferson	WIBW	13	Topeka.
	KTSB	27	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
Jewell	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
Johnson	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KCIT	50	Do.
	KBMA	41	Do.
Kearny	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Kingman	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Kiowa	KCKT	2	Do.
	KTVC	6	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Labette	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Lane	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Leavenworth	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
	KCIT	50	Do.
Lincoln	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
	KTVH	12	Do.
Linn	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KOAM	7	Joplin-Pittsburg.
Logan	KAYS+	7	Wichita-Hutchinson.
	KOMC	8	Do.
Lyon	WIBW	13	Topeka.
	KTSB	27	Do.
McPherson	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Marion	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Marshall	WIBW	13	Topeka.
	KHTL	4	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
Meade	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Miami	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
Mitchell	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
	KHTL	4	Lincoln-Hastings-Kearney.
Montgomery	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Morris	WIBW	13	Topeka.
	KTSB	27	Do.
	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.

County	Call letters and channel numbers		Market name
KANSAS—Continued			
Morton	KGLD	11	Wichita-Hutchinson.
	KUPK	13	Do.
Nemaha	WIBW	13	Topeka.
	WDAF	4	Kansas City.
	KQTV	2	St. Joseph.
Neosho	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Ness	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
Norton	KAYS+	7	Do.
	KOMC	8	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
Osage	WIBW	13	Topeka.
	KTSB	27	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Osborne	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
	KHTL	4	Lincoln-Hastings-Kearney.
Ottawa	KCKT	2	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
	KHTL	4	Lincoln-Hastings-Kearney.
Pawnee	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Phillips	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
	KHAS	5	Do.
	KAYS+	7	Wichita-Hutchinson.
Pottawatomie	WIBW	13	Topeka.
	KTSB	27	Do.
Pratt	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Rawlins	KAYS+	7	Do.
	KOMC	8	Do.
	KHOL+	13	Lincoln-Hastings-Kearney.
Reno	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Republic	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
Rice	KCKT	2	Wichita-Hutchinson.
	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Riley	WIBW	13	Topeka.
	KTSB	27	Do.
Rooks*	KCKT	2	Wichita-Hutchinson.
	KAYS+	7	Do.
Rush	KCKT	2	Do.
	KAYS+	7	Do.
Russell	KCKT	2	Do.
	KAYS+	7	Do.
Saline	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Scott	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Sedgwick	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Seward	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Shawnee	WIBW	13	Topeka.
	KTSB	27	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Sheridan	KAYS+	7	Wichita-Hutchinson.
	KOMC	8	Do.
Sherman	KAYS+	7	Do.
	KOMC	8	Do.
Smith	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Stafford	KCKT	2	Wichita-Hutchinson.
	KAKE	10	Do.
	KTVH	12	Do.
Stanton	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Stevens	KTVC	6	Do.
	KGLD	11	Do.
	KUPK	13	Do.
Sumner	KARD	3	Do.
	KAKE	10	Do.
	KTVH	12	Do.
Thomas	KAYS+	7	Do.
	KOMC	8	Do.
Trego	KCKT	2	Do.
	KAYS+	7	Do.
Wabaunsee	WIBW	13	Topeka.
	KTSB	27	Do.
	KCMO	5	Kansas City.
	KMBC	9	Do.
Wallace	KAYS+	7	Wichita-Hutchinson.
Washington	KHTL	4	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	WIBW	13	Topeka.
Wichita	KAYS+	7	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Wilson	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KOTV	6	Tulsa.
Woodson	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	WIBW	13	Topeka.
Wyandotte	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
	KCIT	50	Do.
KENTUCKY			
Adair	WAVE	3	Louisville.
	WHAS	11	Do.
	WLAC	5	Nashville.
Allen	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Anderson	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.

County	Call letters and channel numbers		Market name
KENTUCKY—Continued			
Ballard	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Barren	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Bath	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Bell	WATE	6	Knoxville.
	WBIR	10	Do.
Boone	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Bourbon	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Boyd	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Boyle	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
Bracken	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Breathitt	WSAZ	3	Charleston-Huntington.
	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Breckinridge	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WTVW	7	Evansville.
Bullitt	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Butler	WSM	4	Nashville.
	WLAC	5	Do.
	WBKO	13	Bowling Green.
	WTVW	7	Evansville.
Caldwell	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
Calloway	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Campbell	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.

County	Call letters and channel numbers		Market name
KENTUCKY—Continued			
Carlisle	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Carroll	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WTTV	4	Indianapolis.
	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Carter	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Casey	WLEX	18	Lexington.
	WKYT	27	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
Christian	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Clark	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Clay	WATE	6	Knoxville.
	WBIR	10	Do.
Clinton	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Crittenden	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
	WTVW	7	Evansville.
Cumberland	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Daviess	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Edmonson	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
	WBKO	13	Bowling Green.
Elliott	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Estill	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Fayette	WLEX	18	Do.
	WKYT	27	Do.
	WBLG	62	Do.
Fleming	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WLEX	18	Lexington.
Floyd	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Franklin*	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WKRC	12	Cincinnati.
	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.

County	Call letters and channel numbers		Market name
KENTUCKY—Continued			
Fulton	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Gallatin	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Garrard*	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Grant	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Graves	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Grayson	WAVE	3	Louisville.
	WHAS	11	Do.
	WBKO	13	Bowling Green.
	WTVW	7	Evansville.
	WAVE	3	Louisville.
Green	WHAS	11	Do.
	WLKY	32	Do.
Greenup	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Hancock	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WAVE	3	Louisville.
Hardin	WAVE	3	Do.
	WHAS	11	Do.
	WLKY	32	Do.
Harlan	WATE	6	Knoxville.
	WBIR	10	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.
Harrison	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WLEX	18	Lexington.
Hart	WSM	4	Nashville.
	WLAC	5	Do.
	WBKO	13	Bowling Green.
	WAVE	3	Louisville.
	WHAS	11	Do.
Henderson	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Henry	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Hickman	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Hopkins	WTVW	7	Evansville.
	WEHT	25	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
Jackson	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WATE	6	Knoxville.
	WBIR	10	Do.
Jefferson	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Jessamine	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Johnson	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Kenton	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Knott	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WSAZ	3	Charleston-Huntington.
	WLOS	13	Greenville-Spartanburg-Asheville.
	WLEX	18	Lexington.
Knox	WATE	6	Knoxville.
	WBIR	10	Do.
Larue	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Laurel	WATE	6	Knoxville.
	WBIR	10	Do.
Lawrence	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Lee	WLEX	18	Lexington.
	WKYT	27	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
Leslie	WCYB	5	Do.
	WJHL	11	Do.
	WBIR	10	Knoxville.
Letcher	WHTN	13	Charleston-Huntington.
	WCYB	5	Bristol-Kingsport-Johnson City.
Lewis*	WSAZ	3	Charleston-Huntington.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Lincoln	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Livingston	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Logan	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Lyon	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
McCracken	WSIL+	3	Do.
	WPSD	6	Do.
	KFVS	12	Do.

County	Call letters and channel numbers		Market name
KENTUCKY—Continued			
McCreary	WATE	6	Knoxville.
	WBIR	10	Do.
McLean	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WLAC	5	Nashville.
Madison	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Magoffin	WSAZ	3	Charleston-Huntington.
Marion	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Marshall	WSIL*	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Martin	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Mason	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Meade	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Menifee	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Mercer	WLEX	18	Do.
	WKYT	27	Do.
	WBLG	62	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
Metcalfe	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Monroe	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Montgomery.*	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Morgan	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Muhlenberg	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
	WBKO	13	Bowling Green.
	WTVW	7	Evansville.
	WEHT	25	Do.
Nelson	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Nicholas	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Ohio	WTVW	7	Evansville.
	WEHT	25	Do.
	WBKO	13	Bowling Green.
	WSM	4	Nashville.
	WLAC	5	Do.
Oldham	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Owen	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Owen	WAVE	3	Louisville.
	WHAS	11	Do.
Owsley	WLEX	18	Lexington.
	WKYT	27	Do.
	WATE	6	Knoxville.
Pendleton	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Perry	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Pike	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Powell	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Pulaski	WATE	6	Knoxville.
	WBIR	10	Do.
	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
Robertson	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WLEX	18	Lexington.
Rockcastle	WLEX	18	Do.
	WKYT	27	Do.
	WBLG	62	Do.
Rowan	WSAZ	3	Charleston-Huntington.
Russell	WATE	6	Knoxville.
	WBIR	10	Do.
	WHAS	11	Louisville.
	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Scott	WLEX	18	Lexington.
	WKYT	27	Do.
	WBLG	62	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Shelby	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Simpson	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Spencer	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
Taylor	WAVE	3	Do.
	WHAS	11	Do.
Todd	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Trigg	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
Trimble	WAVE	3	Louisville.
	WHAS	11	Do.
	WLKY	32	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WTTV	4	Indianapolis.

County	Call letters and channel numbers		Market name
KENTUCKY—Continued			
Union	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
Warren	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
	WBKO	13	Bowling Green.
Washington	WAVE	3	Louisville.
	WHAS	11+	Do.
	WLKY	32	Do.
Wayne	WATE	6	Knoxville.
	WBIR	10	Do.
Webster	WTVW	7	Evansville.
	WFIE	14	Do.
	WEHT	25	Do.
Whitley	WATE	6	Knoxville.
	WBIR	10	Do.
Wolfe	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WLEX	18	Lexington.
	WKYT	27	Do.
Woodford	WLEX	18	Do.
	WKYT	27	Do.
	WBLG	62	Do.
	WAVE	3	Louisville.
	WHAS	11	Do.
LOUISIANA			
Acadia	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KLNI	15	Do.
	KALB	5	Alexandria, La.
Allen	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KALB	5	Alexandria, La.
	KPLC	7	Lake Charles.
Ascension	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Assumption	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Avoyelles	KALB	5	Alexandria, La.
	WAFB	9	Baton Rouge.
	KATC	3	Lafayette, La.
	KLFY	10	Do.
Beauregard	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KALB	5	Alexandria, La.
	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KPLC	7	Lake Charles.
Bienville	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Bossier	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Caddo	KTBS	3	Do.
	KTAL	6	Do.
	KSLA	12	Do.

County	Call letters and channel numbers		Market name
LOUISIANA—Continued			
Calcasieu	KPLC	7	Lake Charles.
	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
	KATC	3	Lafayette, La.
	KLFY	10	Do.
Caldwell	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Cameron	KPLC	7	Lake Charles.
	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
	KATC	3	Lafayette, La.
	KLFY	10	Do.
Catahoula	KNOE	8	Monroe-El Dorado.
	KALB	5	Alexandria, La.
Claiborne	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Concordia	KNOE	8	Do.
	KALB	5	Alexandria, La.
DeSoto	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
East Baton Rouge	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
East Carroll	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	WABG	6	Greenwood-Greenville.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
East Feliciana	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Evangeline	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KALB	5	Alexandria, La.
Franklin	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Grant	KALB	5	Alexandria, La.
	KNOE	8	Monroe-El Dorado.
Iberia	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KLNI	15	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Iberville	WBRZ	2	Do.
	WAFB	9	Do.
Jackson	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
Jefferson	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Jefferson Davis	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KPLC	7	Lake Charles.
Lafayette	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KLNI	15	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Lafourche	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WAFB	9	Baton Rouge.

County	Call letters and channel numbers		Market name
LOUISIANA—Continued			
LaSalle	KNOE	8	Monroe-El Dorado.
	KALB	5	Alexandria, La.
Lincoln*	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	KTBS	3	Shreveport-Texarkana.
Livingston	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	WWL	4	New Orleans.
Madison	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	KNOE	8	Monroe-El Dorado.
Morehouse	KNOE	8	Do.
	KTVE	10	Do.
Natchitoches	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
	KALB	5	Alexandria, La.
	KNOE	8	Monroe-El Dorado.
Orleans	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WWOM	26	Do.
Ouachita	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Plaquemines	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Pointe Coupee.	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Rapides	KALB	5	Alexandria, La.
	KLFY	10	Lafayette, La.
	KNOE	8	Monroe-El Dorado.
Red River	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Richland	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
	WLBT	3	Jackson, Miss.
Sabine	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KALB	5	Alexandria, La.
St. Bernard	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
St. Charles	WWL	4	Do.
	WDSU	6	Do.
	WVUE	8	Do.
St. Helena	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
St. James	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
St. John the Baptist.	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WAFB	9	Baton Rouge.
St. Landry	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KALB	5	Alexandria, La.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
St. Martin	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KLNI	15	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
St. Mary	WBRZ	2	Do.
	WAFB	9	Do.
	KATC	3	Lafayette, La.
	KLFY	10	Do.
St. Tammany	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Tangipahoa	WWL	4	Do.
	WDSU	6	Do.
	WVUE	8	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Tensas	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	KNOE	8	Monroe-El Dorado.
Terrebonne	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Union	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
Vermilion*	KATC	3	Lafayette, La.
	KLFY	10	Do.
	KLNI	15	Do.
Vernon	KALB	5	Alexandria, La.
	KTBS	3	Shreveport-Texarkana.
Washington	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WLOX	13	Baton Rouge.
Webster	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
West Baton Rouge.	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
West Carroll	KNOE	8	Monroe-El Dorado.
	KTVE	10	Do.
West Feliciana	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	KATC	3	Lafayette, La.
Winn	KNOE	8	Monroe-El Dorado.
	KALB	5	Alexandria, La.
MAINE			
Androscoggin	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Aroostook	WAGM	8	Presque Isle.
	CHSJ	4	Canada.
Cumberland	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Franklin	WCSH	6	Do.
	WMTW	8	Do.
	WGAN	13	Do.
	WABI	5	Bangor.
Hancock	WLBZ	2	Do.
	WABI	5	Do.
	WEMT	7	Do.
Kennebec	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
	WLBZ	2	Bangor.
	WABI	5	Do.
Knox	WLBZ	2	Do.
	WABI	5	Do.
	WEMT	7	Do.
	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.

County	Call letters and channel numbers		Market name
MAINE—Continued			
Lincoln	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Oxford	WCSH	6	Do.
	WMTW	8	Do.
	WGAN	13	Do.
	WABI	5	Bangor.
Penobscot	WLBZ	2	Do.
	WABI	5	Do.
	WEMT	7	Do.
Piscataquis	WLBZ	2	Do.
	WABI	5	Do.
	WEMT	7	Do.
Sagadahoc	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Somerset	WLBZ	2	Bangor.
	WABI	5	Do.
	WEMT	7	Do.
	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Waldo	WLBZ	2	Bangor.
	WABI	5	Do.
	WEMT	7	Do.
Washington*	WLBZ	2	Do.
	WABI	5	Do.
	WEMT	7	Do.
	CHSJ	4	Canada.
York	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
MARYLAND			
Allegany	WTTG	5	Washington, D.C.
	WMAL	7	Do.
	WTOP	9	Do.
	WJAC	6	Johnstown-Altoona.
Anne Arundel	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Baltimore including Baltimore City.	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
Calvert	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
Caroline	WMAR	2	Do.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
Carroll	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.

County	Call letters and channel numbers		Market name
MARYLAND—Continued			
Cecil	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
Charles	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Dorchester	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WBOC	16	Salisbury.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
Frederick*	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
Garrett	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WJAC	6	Johnstown-Altoona.
Harford	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
Howard	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Kent	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WTOP	9	Do.
Montgomery	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Prince Georges	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Queen Annes	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
St. Marys	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
Somerset	WBOC	16	Salisbury.
	WTTG	5	Washington, D.C.
Talbot	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.

County	Call letters and channel numbers		Market name
MARYLAND—Continued			
Washington	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WHAG	25	Hagerstown, Md.
Wicomico	WBOC	16	Salisbury.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
Worcester	WBOC	16	Salisbury.
	WTTG	5	Washington, D.C.
MASSACHUSETTS			
Barnstable*	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
Berkshire	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
	WTIC	3	Hartford-New Haven.
Bristol	WTFV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Dukes	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
Essex	WBZ	4	Do.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Franklin	WWLP+	22	Springfield, Mass.
	WHYN	40	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WTIC	3	Hartford-New Haven.
Hampden*	WWLP+	22	Springfield, Mass.
	WHYN	40	Do.
	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
	WHNB	30	Do.
Hampshire	WWLP+	22	Springfield, Mass.
	WHYN	40	Do.
	WTIC	3	Hartford-New Haven.
Middlesex	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Nantucket	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WHDH	5	Do.

County	Call letters and channel numbers		Market name
MASSACHUSETTS—Continued			
Norfolk	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Plymouth	WBZ	4	Do.
	WHDH	5	Do.
	WSBK	38	Do.
	WKBG	56	Do.
	WNAC	7	Do.
	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
Suffolk	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Worcester	WBZ	4	Do.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
	WJAR	10	Providence.
	WPRI	12	Do.
	WSMW	27	Worcester.
MICHIGAN			
Alcona	WNEM	5	Flint-Saginaw-Bay City
	WJRT	12	Do.
Alger	WLUC	6	Marquette.
	WFRV+	5	Green Bay.
Allegan	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Alpena	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Antrim	WPBN+	7	Do.
	WWTV+	9	Do.
Arenac	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WWTV+	9	Traverse City-Cadillac.
Baraga*	WLUC	6	Marquette.
Barry	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
	WJIM	6	Lansing.
Bay	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WKNX	25	Do.
Benzie	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Berrien	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
Branch	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WJIM	6	Lansing.
	WILX	10	Do.

County	Call letters and channel numbers		Market name
	MICHIGAN—Continued		
Calhoun	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WJIM	6	Lansing.
	WILX	10	Do.
Cass	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
	WGN	9	Chicago.
	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
Charlevoix	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Cheboygan	WPBN+	7	Do.
	WWTV+	9	Do.
Chippewa	WPBN+	7	Do.
	WWTV+	9	Do.
	CJIC	2	Canada
Clare	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WPBN	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Clinton	WJIM	6	Lansing.
	WILX	10	Do.
	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WOOD	8	Grand Rapids-Kalamazoo.
Crawford	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Delta	WFRV+	5	Green Bay.
	WLUK	11	Do.
	WLUC	6	Marquette.
Dickinson	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WLUC	6	Marquette.
Eaton	WJIM	6	Lansing.
	WILX	10	Do.
	WJRT	12	Flint-Saginaw-Bay City.
	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
Emmet	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Genesee	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	WKBD	50	Do.
	WJIM	6	Lansing.
Gladwin	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WWTV+	9	Traverse City-Cadillac.
Gogebic	KDAL	3	Duluth-Superior.
	WDSM	6	Do
	WDIO+	10	Do.
	WAEO	12	Wausau-Rhinelander.
Grand Traverse.	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.

County	Call letters and channel numbers		Market name
	MICHIGAN—Continued		
Gratiot	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WOOD	8	Grand Rapids-Kalamazoo.
	WJIM	6	Lansing.
Hillsdale	WJIM	6	Do.
	WILX	10	Do.
	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
Houghton	WLUC	6	Marquette.
	WFRV+	5	Green Bay.
Huron	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
Ingham	WJIM	6	Lansing.
	WILX	10	Do.
	WJRT	12	Flint-Saginaw-Bay City.
	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
Ionia	WKZO	3	Do.
	WOOD	8	Do.
	WZZM	13	Do.
	WJRT	12	Flint-Saginaw-Bay City.
	WJIM	6	Lansing.
Iosco	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
Iron	WLUC	6	Marquette.
	WFRV+	5	Green Bay.
	WAEO	12	Wausau-Rhinelander.
Isabella	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WJIM	6	Lansing.
	WWTV+	9	Traverse City-Cadillac.
Jackson	WJIM	6	Lansing.
	WILX	10	Do.
	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
Kalamazoo	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Kalkaska	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Kent	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Keweenaw	WLUC	6	Marquette.
	CKPR	2	Canada.
Lake	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WZZM	13	Grand Rapids-Kalamazoo.
Lapeer	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WJIM	6	Lansing.

County	Call letters and channel numbers		Market name
MICHIGAN—Continued			
Leelanau	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Lenawee*	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Livingston	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
	WJRT	12	Flint-Saginaw-Bay City.
	WJIM	6	Lansing.
Luce	WPBN+	7	Traverse-City-Cadillac.
	WWTV+	9	Do.
	WFRV+	5	Green Bay.
	WLUC	6	Marquette.
	CJIC	2	Canada.
Mackinac	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WFRV	5	Green Bay.
	CJIC	2	Canada.
Macomb	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
Manistee	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WZZM	13	Grand Rapids-Kalamazoo.
	WBAY	2	Green Bay.
	WLUK	11	Do.
Marquette	WLUC	6	Marquette.
	WFRV+	5	Green Bay.
	WLUK	11	Do.
Mason	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WZZM	13	Grand Rapids-Kalamazoo.
	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Mecosta	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WZZM	13	Grand Rapids-Kalamazoo.
Menominee	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WLUC	6	Marquette.
Midland	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WWTV+	9	Traverse City-Cadillac.
Missaukee	WPBN+	7	Do.
	WWTV+	9	Do.
Monroe	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
	WTOL	11	Toledo.
	WDHO	24	Do.
	WSPD	13	Do.

County	Call letters and channel numbers		Market name
MICHIGAN—Continued			
Montcalm	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
	WJRT	12	Flint-Saginaw-Bay City.
	WJIM	6	Lansing.
	WWTV	9	Traverse City-Cadillac.
Montmorency	WPBN+	7	Do.
	WWTV+	9	Do.
Muskegon	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Newaygo	WKZO	3	Do.
	WOOD	8	Do.
	WZZM	13	Do.
	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Oakland	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
Oceana	WKZO	3	Grand Rapids-Kalamazoo.
	WZZM	13	Do.
	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Ogemaw	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WWTV+	9	Traverse City-Cadillac.
Ontonagon	WLUC	6	Marquette.
	KDAL	3	Duluth-Superior.
	WAEO	12	Wausau-Rhinelander.
Osceola	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WNEM	5	Flint-Saginaw-Bay City.
	WZZM	13	Grand Rapids-Kalamazoo.
Oscoda	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
	WNEM	5	Flint-Saginaw-Bay City.
Otsego	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Ottawa	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Presque Isle	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
Roscommon	WPBN+	7	Do.
	WWTV+	9	Do.
	WNEM	5	Flint-Saginaw-Bay City.
Saginaw	WNEM	5	Do.
	WJRT	12	Do.
	WKNX	25	Do.
St. Clair	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.

County	Call letters and channel numbers		Market name
MICHIGAN—Continued			
St. Joseph	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WNDU	16	South Bend-Elkhart.
	WSBT	22	Do.
	WSJV	28	Do.
Sanilac	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	CFPL	10	Canada.
Schoolcraft	WLUC	6	Marquette.
	WFRV+	1	Green Bay.
Shiawassee	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WJIM	6	Lansing.
	WILX	10	Do.
Tuscola	WNEM	5	Flint-Saginaw-Bay City.
	WJRT	12	Do.
	WKNX	25	Do.
Van Buren	WKZO	3	Grand Rapids-Kalamazoo.
	WOOD	8	Do.
	WZZM	13	Do.
Washtenaw	WJBK	2	Detroit.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
Wayne	WJBK	2	Do.
	WWJ	4	Do.
	WXYZ	7	Do.
	CKLW	9	Do.
	WKBD	50	Do.
Wexford	WPBN+	7	Traverse City-Cadillac.
	WWTV+	9	Do.
MINNESOTA			
Aitkin	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
	KNMT	12	Alexandria, Minn.
Anoka	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Becker	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Beltrami	KNMT	12	Alexandria, Minn.
	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	KTHI	11	Fargo.
Benton	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
Big Stone*	KCMT	7	Do.
	KELO+	11	Sioux Falls-Mitchell.
Blue Earth	KEYC	12	Mankato.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KAUS	6	Rochester-Mason City-Austin.
Brown	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KEYC	12	Mankato.
	KAUS	6	Rochester-Mason City-Austin.
Carlton	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Carver	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Cass	KCMT	7	Alexandria, Minn.
	KNMT	12	Do.
	KDAL	3	Duluth-Superior.
	WDIO+	10	Do.
Chippewa	KCMT	7	Alexandria, Minn.
	WCCO	4	Minneapolis-St. Paul.
	KMSP	9	Do.
	WTCN	11	Do.
Chisago	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Clay	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Clearwater	KXJB	4	Do.
	WDAY	6	Do.
	KTHI	11	Do.
Cook	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
	CKPR	2	Canada.
Cottonwood	KEYC	12	Mankato.
	KSTP	5	Minneapolis-St. Paul.
	WTCN	11	Do.
	KAUS	6	Rochester-Mason City-Austin.
Crow Wing	KCMT	7	Alexandria, Minn.
	KNMT	12	Do.
	KDAL	3	Duluth-Superior.
Dakota	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Dodge	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
Douglas	KCMT	7	Alexandria, Minn.
Faribault	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	KEYC	12	Mankato.
Fillmore	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	WKBT	8	La Crosse-Eau Claire.
Freeborn	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Goodhue	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.

County	Call letters and channel numbers		Market name
MINNESOTA—Continued			
Grant *	KCMT	7	Alexandria, Minn.
Hennepin	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Houston	WKBT	8	La Crosse-Eau Claire.
	KROC	10	Rochester-Mason City-Austin.
Hubbard	KNMT	12	Alexandria, Minn.
Isanti	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Itasca	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
	KNMT	12	Alexandria, Minn.
Jackson	KEYC	12	Mankato.
	KCAU	9	Sioux City.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Kanabec	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Kandiyohi	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
Kittson	KXJB	4	Fargo.
	WDAZ	8	Do.
	KCND	12	Pembina.
	CBWT	6	Canada.
	CJAY	7	Do.
Koochiching	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
	CBWT	6	Canada.
Lac Qui Parle	KCMT	7	Alexandria, Minn.
	KELO+	11	Sioux Falls-Mitchell.
Lake	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Lake of the Woods.	CBWT	6	Canada.
Le Sueur	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KEYC	12	Mankato.
Lincoln	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Lyon	KELO+	11	Do.
	KSOO+	13	Do.
	KEYC	12	Mankato.
McLeod	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Mahnomen	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Marshall	KXJB	4	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
	KCND	12	Pembina.
	CBWT	6	Canada.

County	Call letters and channel numbers		Market name
MINNESOTA—Continued			
Martin	KEYC	12	Mankato.
	KAUS	6	Rochester-Mason City-Austin.
	KROC	10	Do.
Meeker	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
Mille Lacs	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Morrison	KCMT	7	Alexandria, Minn.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Mower	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Murray	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Nicollet	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KEYC	12	Mankato.
Nobles	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	KCAU	9	Sioux City.
Norman	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Olmsted	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Otter Tail	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
	KCMT	7	Alexandria, Minn.
Pennington	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Pine	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do
Pipestone	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Polk	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Pope	KCMT	7	Alexandria, Minn.
Ramsey	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Red Lake	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Redwood	KEYC	12	Mankato.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.

County	Call letters and channel numbers		Market name
MINNESOTA—Continued			
Renville	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
	KEYC	12	Mankato.
Rice	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Rock	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	KCAU	9	Sioux City.
Roseau	KCND	12	Pembina.
	WDAZ	8	Fargo.
	CBWT	6	Canada.
	CJAY	7	Do.
St. Louis	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Scott	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Sherburne	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Sibley	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KEYC	12	Mankato.
Stearns	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
Steele	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
	KEYC	12	Mankato.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Stevens	KCMT	7	Alexandria, Minn.
	KELO+	11	Sioux Falls-Mitchell.
Swift	KCMT	7	Alexandria, Minn.
Todd	KCMT	7	Do.
Traverse	KCMT	7	Do.
	KXJB	4	Fargo.
	KELO+	11	Sioux Falls-Mitchell.
Wabasha	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	KAUS	6	Rochester-Mason City-Austin.
	KROC	10	Do.
Wadena	KCMT	7	Alexandria, Minn.
	KNMT	12	Do.
Waseca	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Waseca	KEYC	12	Mankato.
	KGLO	3	Rochester-Mason City-Austin.
	KAUS	6	Do.
	KROC	10	Do.
Washington	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Watonwan	KEYC	12	Mankato.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	WTCN	11	Do.
	KAUS	6	Rochester-Mason City-Austin.
Wilkin	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Winona	WKBT	8	La Crosse-Eau Claire.
	KAUS	6	Rochester-Mason City-Austin.
	KROC	10	Do.
Wright	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Yellow Medicine.	WCCO	4	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KCMT	7	Alexandria, Minn.
	KELO+	11	Sioux Falls-Mitchell.
MISSISSIPPI			
Adams	KNOE	8	Monroe-El Dorado.
	KALB	5	Alexandria, La.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
Alcorn	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Amite	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	WLBT	3	Jackson, Miss.
Attala	WLBT	3	Do.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
Benton	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Bolivar	WABG	6	Greenwood-Greenville.
	WLBT	3	Jackson, Miss.
	WREC	3	Memphis.
	WMC	5	Do.
Calhoun	WREC	3	Do.
	WMC	5	Do.
	WCBI	4	Columbus, Miss.
	WABG	6	Greenwood-Greenville.
Carroll	WABG	6	Do.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
Chickasaw	WCBI	4	Columbus, Miss.
	WMC	5	Memphis.
	WTWV	9	Tupelo.
Choctaw	WCBI	4	Columbus, Miss.
	WABG	6	Greenwood-Greenville.

County	Call letters and channel numbers		Market name
MISSISSIPPI—Continued			
Choctaw	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
Claiborne	WLBT	3	Do.
	WJTV	12	Do.
Clarke	WTOK	11	Meridian.
	WDAM	7	Laurel-Hattiesburg.
Clay	WCBI	4	Columbus, Miss.
Coahoma	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Copiah	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Covington	WDAM	7	Laurel-Hattiesburg.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
De Soto	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Forrest	WDAM	7	Laurel-Hattiesburg.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
Franklin	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WBRZ	2	Baton Rouge.
George	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
Greene	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WDAM	7	Laurel-Hattiesburg.
Grenada	WABG	6	Greenwood-Greenville.
	WREC	3	Memphis.
	WMC	5	Do.
Hancock	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
Harrison	WLOX	13	Do
	WKRG	5	Mobile-Pensacola.
	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
Hinds	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Holmes	WLBT	3	Do.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
Humphreys	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
Issaquena	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
	KNOE	8	Monroe-El Dorado.
Itawamba	WTWV	9	Tupelo.
	WCBI	4	Columbus, Miss.
Jackson*	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
	WALA	10	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula

County	Call letters and channel numbers		Market name
MISSISSIPPI—Continued			
Jasper	WDAM	7	Laurel-Hattiesburg.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WTOK	11	Meridian.
Jefferson	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	KNOE	8	Monroe-El Dorado.
Jefferson Davis.	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WDAM	7	Laurel-Hattiesburg.
Jones	WDAM	7	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WTOK	11	Meridian.
Kemper	WTOK	11	Do.
Lafayette	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Lamar	WDAM	7	Laurel-Hattiesburg.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
Lauderdale	WTOK	11	Meridian.
Lawrence	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Leake	WLBT	3	Do.
	WJTV	12	Do.
Lee	WTWV	9	Tupelo.
	WCBI	4	Columbus, Miss.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Leflore	WABG	6	Greenwood-Greenville.
	WLBT	3	Jackson. Miss.
	WJTV	12	Do.
Lincoln	WLBT	3	Do.
	WJTV	12	Do.
Lowndes	WCBI	4	Columbus, Miss.
Madison	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Marion	WLBT	3	Do.
	WJTV	12	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WDAM	7	Laurel-Hattiesburg.
Marshall	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Monroe	WCBI	4	Columbus, Miss.
	WTWV	9	Tupelo.
Montgomery	WABG	6	Greenwood-Greenville.
	WCBI	4	Columbus, Miss.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WMC	5	Memphis.
Neshoba	WTOK	11	Meridian.
	WLBT	3	Jackson, Miss.
Newton	WTOK	11	Meridian.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
Noxubee	WTOK	11	Meridian.
	WCBI	4	Columbus, Miss.
Oktibbeha	WCBI	4	Do.
Panola	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Pearl River	WWL	4	New Orleans.
	WDSU	6	Do.
	WVUE	8	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.

County	Call letters and channel numbers		Market name
MISSISSIPPI—Continued			
Perry	WDAM	7	Laurel-Hattiesburg.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WKRG	5	Mobile-Pensacola.
Pike	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
	WWL	4	New Orleans.
Pontotoc	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WTWV	9	Tupelo.
Prentiss	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WTWV	9	Tupelo.
Quitman	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Rankin	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Scott	WLBT	3	Do.
	WJTV	12	Do.
	WTOK	11	Meridian.
Sharkey	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
Simpson	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WAPT	16	Do.
Smith	WLBT	3	Do.
	WJTV	12	Do.
	WDAM	7	Laurel-Hattiesburg.
Stone	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WDAM	7	Laurel-Hattiesburg.
	WKRG	5	Mobile-Pensacola.
	WWL	4	New Orleans.
	WDSU	6	Do.
Sunflower	WABG	6	Greenwood-Greenville.
	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
Tallahatchie	WABG	6	Greenwood-Greenville.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Tate	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Tippah	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Tishomingo	WTWV	9	Tupelo.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Tunica	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Union	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Walthall	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WDAM	7	Laurel-Hattiesburg.
	WWL	4	New Orleans.
	WDSU	6	Do.
Warren	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	KNOE	8	Monroe-El Dorado.
Washington	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	KTVE	10	Monroe-El Dorado.
	WABG	6	Greenwood-Greenville.
Wayne	WDAM	7	Laurel-Hattiesburg.
	WLOX	13	Biloxi-Gulfport-Pascagoula.
	WTOK	11	Meridian.
	WEAR	3	Mobile-Pensacola.
	WKRG	5	Do.
Webster	WCBI	4	Columbus, Miss.
	WABG	6	Greenwood-Greenville.
	WLBT	3	Jackson, Miss.
Wilkinson	WBRZ	2	Baton Rouge.
	WAFB	9	Do.
Winston	WTOK	11	Meridian.
	WCBI	4	Columbus, Miss.
	WLBT	3	Jackson, Miss.
Yalobusha	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WABG	6	Greenwood-Greenville.
Yazoo	WLBT	3	Jackson, Miss.
	WJTV	12	Do.
	WABG	6	Greenwood-Greenville.
MISSOURI			
Adair	KTVO	3	Ottumwa-Kirksville.
	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
Andrew	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
Atchison	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KQTV	2	St. Joseph.
Audrain	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
Barry	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Barton	KOAM	7	Do.
	KODE	12	Do.
	KUHI	16	Do.
Bates	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Benton	KMOS	6	Columbia-Jefferson City.
	KCMO	5	Kansas City.
	KMBC	9	Do.
	KYTV	3	Springfield, Mo.
Bollinger	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
Boone	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Buchanan	KQTV	2	St. Joseph.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Butler	WSIL*	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Caldwell	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
Callaway	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Camden	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Cape Girardeau.	WSIL*	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Carroll	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Carter	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
	KAIT	8	Jonesboro.
Cass	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KCIT	50	Do.
Cedar	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Chariton	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Christian	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Clark	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.
Clay	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
	KCIT	50	Do.
Clinton	WDAF	4	Do.
	KCMO	5	Do.
	KMBC	9	Do.
	KCIT	50	Do.
	KQTV	2	St. Joseph.
Cole	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Cooper	KOMU	8	Do.
	KRCG	13	Do.
Crawford	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KRCG	13	Columbia-Jefferson City.
Dade	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Dallas	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Daviess	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
De Kalb	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
Dent	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
	KRCG	13	Columbia-Jefferson City.
	KYTV	3	Springfield, Mo.
Douglas	KYTV	3	Do.
	KTTS	10	Do.
	KMTC	27	Do.
Dunklin	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KAIT	8	Jonesboro.
	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
Franklin	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Gasconade	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KRCG	13	Columbia-Jefferson City.
Gentry	KQTV	2	St. Joseph.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Greene	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Grundy	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KTVO	3	Ottumwa-Kirksville.
	KQTV	2	St. Joseph.
Harrison	KQTV	2	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
Henry	WDAF	4	Do.
	KCMO	5	Do.
	KMBC	9	Do.
Hickory	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Holt	KQTV	2	St. Joseph.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Howard	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Howell	KYTV	3	Springfield, Mo.
	KMTC	27	Do.
Iron*	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KFVS	12	Paducah-Cape Girardeau-Harrisburg.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Jackson	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
	KCIT	50	Do.
Jasper	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Jefferson	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Johnson	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Knox	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.
Laclede	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Lafayette	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KCIT	50	Do.
Lawrence	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Lewis	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.
Lincoln	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Linn	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KTVO	3	Ottumwa-Kirksville.
Livingston	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KQTV	2	St. Joseph.
McDonald	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Macon	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KOMU	8	Columbia-Jefferson City.
	KTVO	3	Ottumwa-Kirksville.
Madison	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KFVS	12	Paducah-Cape Girardeau-Harrisburg.
Maries	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
Marion	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	WJJY	14	Jacksonville, Ill.
Mercer	KTVO	3	Ottumwa-Kirksville.
	KRNT	8	Des Moines.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KQTV	2	St. Joseph.
Miller	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Mississippi	WSIL*	3	Pudacah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Moniteau	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Monroe	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Montgomery	KOMU	8	Do.
	KRCG	13	Do.
	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Morgan	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	KYTV	3	Springfield, Mo.
New Madrid	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
Newton	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
Nodaway	KQTV	2	St. Joseph.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMTV	3	Omaha.
	WOW	6	Do.
Oregon	KYTV	3	Springfield, Mo.
	KAIT	8	Jonesboro.
Osage	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	KTVI	2	St. Louis.
Ozark	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
Pemiscot	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	KFVS	12	Paducah-Cape Girardeau-Harrisburg.
Perry	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KFVS	12	Paducah-Cape Girardeau-Harrisburg.
Pettis	KMOS	6	Columbia-Jefferson City.
	KOMU	8	Do.
	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
Phelps*	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
	KTVI	2	St. Louis.
Pike	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Platte	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KBMA	41	Do.
	KCIT	50	Do.
	KQTV	2	St. Joseph.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Polk	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Pulaski	KYTV	3	Do.
	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Putnam	KTVO	3	Ottumwa-Kirksville.
Ralls	KHQA	7	Quincy-Hannibal.
	WGEM	19	Do.
	WJJY	14	Jacksonville, Ill.
Randolph	KOMU	8	Columbia-Jefferson City.
	KRCG	13	Do.
Ray	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KCIT	50	Do.
Reynolds	KFVS	12	Paducah-Cape Girardeau-Harrisburg.
	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
Ripley	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
	KAIT	8	Jonesboro.
St. Charles	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
St. Clair	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
St. Francois	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
St. Louis including city of St. Louis.	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Ste. Genevieve.	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
	KDNL	30	Do.
Saline	WDAF	4	Kansas City.
	KCMO	5	Do.
	KMBC	9	Do.
	KMOS	6	Columbia-Jefferson City.
	KOMU	8	Do.
	KRCG	13	Do.
Schuyler	KTVO	3	Ottumwa-Kirksville.
	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
Scotland	KHQA	7	Do.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.
Scott	WSIL+	3	Paducah-Cape Girardeau-Harrisburg.
	WPSD	6	Do.
	KFVS	12	Do.
Shannon	KYTV	3	Springfield, Mo.
Shelby	KHQA	7	Quincy-Hannibal.
	WGEM	10	Do.
	KTVO	3	Ottumwa-Kirksville.

County	Call letters and channel numbers		Market name
MISSOURI—Continued			
Stoddard	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
Stone	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Sullivan*	KTVO	3	Ottumwa-Kirksville.
	WGEM	10	Quincy-Hannibal.
Taney	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Texas	KTYV	3	Do.
	KTTS	10	Do.
	KMTC	27	Do.
Vernon	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
	KCMO	5	Kansas City.
Warren	KTVI	2	St. Louis.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Washington	KTVI	2	Do.
	KMOX	4	Do.
	KSD	5	Do.
	KPLR	11	Do.
Wayne	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
Webster	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
Worth	KQTV	2	St. Joseph.
	WDAF	4	Kansas City.
	KCMO	5	Do.
Wright	KYTV	3	Springfield, Mo.
	KTTS	10	Do.
	KMTC	27	Do.
MONTANA			
Beaverhead	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Big Horn	KOOK	2	Billings.
	KULR	8	Do.
Blaine	KRTV	3	Great Falls.
	KFBB	5	Do.
	CJLH	7	Canada.
Broadwater	KXLF+	4	Butte.
	KRTV	3	Great Falls.
	KFBB	5	Do.
Carbon	KOOK	2	Billings.
	KULR	8	Do.
Carter	KOTA+	3	Rapid City.
	KXGN	5	Glendive.
Cascade	KRTV	3	Great Falls.
	KFBB	5	Do.
Chouteau	KRTV	3	Do.
	KFBB	5	Do.
Custer	KOOK	2	Billings.
	KULR	8	Do.
	KYUS	3	Miles City, Mont.
Daniels	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	CKCK	2	Canada.
Dawson	KXGN	5	Glendive.
	KUMV	8	Minot-Bismarck.
Deer Lodge	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Fallon	KDIX	2	Dickinson, N. Dak.
	KXGN	5	Glendive.

County	Call letters and channel numbers		Market name
MONTANA—Continued			
Fergus	KOOK	2	Billings.
	KULR	8	Do.
	KFBB	5	Great Falls.
Flathead	KCFW	9	Missoula.
	KREM	2	Spokane.
	KXLY	4	Do.
Gallatin	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Garfield	KOOK	2	Billings.
	KULR	8	Do.
Glacier	KRTV	3	Great Falls.
	KFBB	5	Do.
	CJLH	7	Canada.
Golden Valley	KOOK	2	Billings.
	KULR	8	Do.
Granite	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Hill	KRTV	3	Great Falls.
	KFBB	5	Do.
	CFCN	4	Canada.
	CJLH	7	Do.
Jefferson	KXLF+	4	Butte.
	KFBB	5	Great Falls.
	KGVO+	13	Missoula.
Judith Basin	KOOK	2	Billings.
	KULR	8	Do.
	KRTV	3	Great Falls.
	KFBB	5	Do.
Lake	KGVO+	13	Missoula.
	KXLF+	4	Butte.
	KXLY	4	Spokane.
Lewis and Clark.	KBLL	12	Helena.
	KXLF+	4	Butte.
	KFBB	5	Great Falls.
Liberty	KRTV	3	Do.
	KFBB	5	Do.
	CFCN	4	Canada.
	CJLH	7	Do.
Lincoln	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KCFW	9	Missoula.
McCone	KUMV	8	Minot-Bismarck.
	KXGN	5	Glendive.
Madison	KXLF+	4	Butte.
	KGVO	13	Missoula.
Meagher	KRTV	3	Great Falls.
	KFBB	5	Do.
	KXLF+	4	Butte.
Mineral	KXLY	4	Spokane.
	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Missoula	KGVO+	13	Do.
	KXLF+	4	Butte.
Musselshell	KOOK	2	Billings.
	KULR	8	Do.
Park	KOOK	2	Do.
	KULR	8	Do.
	KXLF+	4	Butte.
Petroleum	KOOK	2	Billings.
	KULR	8	Do.
Phillips	KRTV	3	Great Falls.
	KFBB	5	Do.
	KOOK	2	Billings.
Pondera	KRTV	3	Great Falls.
	KFBB	5	Do.
	CJLH	7	Canada.
Powder River	KOOK	2	Billings.
	KULR	8	Do.
	KOTA+	3	Rapid City.
Powell	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Prairie	KXGN	5	Glendive.
	KYUS	3	Miles City, Mont.
Ravalli	KGVO+	13	Missoula.
	KXLF+	4	Butte.

County	Call letters and channel numbers		Market name
MONTANA—Continued			
Richland	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	KXGN	5	Glendive.
Roosevelt	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	CKCK	2	Canada.
Rosebud	KOOK	2	Billings.
	KULR	8	Do.
	KYUS	3	Miles City, Mont.
Sanders	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KGVO+	13	Missoula.
Sheridan	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	CKCK	2	Canada.
Silver Bow	KXLF+	4	Butte.
	KGVO+	13	Missoula.
Stillwater	KOOK	2	Billings.
	KULR	8	Do.
Sweet Grass	KOOK	2	Do.
	KULR	8	Do.
Teton	KRTV	3	Great Falls.
	KFBB	5	Do.
Toole	KRTV	3	Do.
	KFBB	5	Do.
	CFCN	4	Canada.
	CJLH	7	Do.
Treasure	KOOK	2	Billings.
	KULR	8	Do.
Valley	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	CKCK	2	Canada.
Wheatland	KOOK	2	Billings.
	KULR	8	Do.
Wilbaux	KDIX	2	Dickinson, N. Dak.
	KXGN	5	Glendive.
	KUMV	8	Minot-Bismarck.
Yellowstone	KOOK	2	Billings.
	KULR	8	Do.
NEBRASKA			
Adams	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Antelope	KHQL	8	Do.
	KOLN+	10	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Arthur	KNOP	2	North Platte.
	KHOL+	13	Lincoln-Hastings-Kearney.
Banner	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Blaine	KNOP	2	North Platte.
Boone	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
Box Butte	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Boyd	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
Brown	KELO+	11	Do.
Buffalo	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Burt	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.

County	Call letters and channel numbers		Market name
	NEBRASKA—Continued		
Butler	KMTV	3	Butte.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Cass	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KOLN	10	Lincoln-Hastings-Kearney.
Cedar	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
Chase	KOHL+	13	Lincoln-Hastings-Kearney.
	KOMC	8	Wichita-Hutchinson.
Cherry	KELO+	11	Sioux Falls-Mitchell.
	KNOP	2	North Platte.
	KDUH	4	Rapid City.
Cheyenne	KTVS	3	Cheyenne.
	KSTF	10	Do.
	KDUH	4	Rapid City.
Clay	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Colfax	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Cuming	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Custer	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
	KNOP	2	North Platte.
Dakota	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Dawes	KDUH	4	Rapid City.
	KSTF	10	Cheyenne.
Dawson	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
	KNOP	2	North Platte.
Deuel	KTVS	3	Cheyenne.
	KHOL+	13	Lincoln-Hastings-Kearney.
	KNOP	2	North Platte.
Dixon	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Dodge	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Douglas	KMTV	3	Do.
	WOW	6	Do.
	KETV	7	Do.
Dundy	KAYS+	7	Wichita-Hutchinson.
	KOMC	8	Do.
	KHOL+	13	Lincoln-Hastings-Kearney.
Fillmore	KHTL	4	Do.
	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Franklin	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.

County	Call letters and channel numbers		Market name
	NEBRASKA—Continued		
Frontier	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
	KNOP	2	North Platte.
	KOMC	8	Wichita-Hutchinson.
Furnas	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
	KOMC	8	Wichita-Hutchinson.
Gage	KOLN+	10	Lincoln-Hastings-Kearney.
	KMTV	3	Omaha.
	KETV	7	Do.
Garden	KTVS	3	Cheyenne.
	KSTF	10	Do.
	KHOL+	13	Lincoln-Hastings-Kearney.
	KNOP	2	North Platte.
	KDUH	4	Rapid City.
Garfield	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
Gosper	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Grant	KDUH	4	Rapid City.
	KHOL+	13	Lincoln-Hastings-Kearney.
	KNOP	2	North Platte.
Greeley	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Hall	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Hamilton	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Harlan	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Hayes	KHOL+	13	Do.
	KNOP	2	North Platte.
	KOMC	8	Wichita-Hutchinson.
Hitchcock	KAYS	7	Do.
	KOMC	8	Do.
	KHOL+	13	Lincoln-Hastings-Kearney.
Holt	KHQL	8	Do.
	KOLN+	10	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
	KELO+	11	Sioux Falls-Mitchell.
Hooker	KNOP	2	North Platte.
	KDUH	4	Rapid City.
Howard	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Jefferson	KHTL	4	Do.
	KHAS	5	Do.
	KOLN+	10	Do.
Johnson	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Kearney	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Keith	KNOP	2	North Platte.
	KHOL+	13	Lincoln-Hastings-Kearney.

County	Call letters and channel numbers		Market name
	NEBRASKA—Continued		
Keya Paha	KELO+	11	Sioux Falls-Mitchell.
Kimball	KTVS	3	Cheyenne.
	KFBC	5	Do.
	KSTF	10	Do.
	KDUH	4	Rapid City.
Knox	KTIV	4	Sioux City.
	KCAU	9	Do.
	KHQL	8	Lincoln-Hastings-Kearney.
	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Lancaster	KOLN+	10	Lincoln-Hastings-Kearney.
	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Lincoln	KNOP	2	North Platte.
	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
Logan	KNOP	2	North Platte.
	KHOL+	13	Lincoln-Hastings-Kearney.
Loup	KHAS	5	Do.
	KHQL	8	Do.
	KOLN+	10	Do.
McPherson	KNOP	2	North Platte.
	KHOL+	13	Lincoln-Hastings-Kearney.
Madison	KTIV	4	Sioux City.
	KCAU	9	Do.
	KHQL	8	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	WOW	6	Omaha.
Merrick	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Morrill	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Nance	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
	KMTV	3	Omaha.
Nemaha	KMTV	3	Do.
	WOW	6	Do.
	KETV	7	Do.
Nuckolls	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Otoe	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Pawnee	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Perkins	KHOL+	13	Do.
	KTVS	3	Cheyenne.
	KNOP	2	North Platte.
Phelps	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Pierce	KTIV	4	Sioux City.
	KCAU	9	Do.
	KHQL	8	Lincoln-Hastings-Kearney.

County	Call letters and channel numbers		Market name
	NEBRASKA—Continued		
	KELO+	11	Sioux Falls-Mitchell.
Platte	KHQL	8	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Polk	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
	KMTV	3	Omaha.
	KETV	7	Do.
Red Willow	KOMC	8	Wichita-Hutchinson.
	KOLN+	10	Lincoln-Hastings-Kearney.
	KHOL+	13	Do.
Richardson	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
	KCMO	5	Kansas City.
	KOLN+	10	Lincoln-Hastings-Kearney.
	KQTV	2	St. Joseph.
Rock	KELO+	11	Sioux Falls-Mitchell.
Saline	KHTL	4	Lincoln-Hastings-Kearney.
	KOLN	10	Do.
	KMTV	3	Omaha.
	KETV	7	Do.
Sarpy	KMTV	3	Do.
	WOW	6	Do.
	KETV	7	Do.
Saunders	KMTV	3	Do.
	WOW	6	Do.
	KETV	7	Do.
	KOLN+	10	Lincoln-Hastings-Kearney.
Scotts Bluff	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Seward	KOLN+	10	Lincoln-Hastings-Kearney.
	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Sheridan	KDUH	4	Rapid City.
Sherman	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Sioux	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Stanton	KTIV	4	Sioux City.
	KCAU	9	Do.
	KHQL	8	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Thayer	KHTL	4	Lincoln-Hastings-Kearney.
	KHAS	5	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.
Thomas	KNOP	2	North Platte.
Thurston	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Valley	KHAS	5	Lincoln-Hastings-Kearney.
	KHQL	8	Do.
	KOLN+	10	Do.
	KHOL+	13	Do.

County	Call letters and channel numbers		Market name
NEBRASKA—Continued			
Washington	KMTV	3	Omaha.
	WOW	6	Do.
	KETV	7	Do.
Wayne	KTIV	4	Sioux City.
	KCAU	9	Do.
	KMEG	14	Do.
Webster	KHAS	5	Lincoln-Hastings-Kearney.
	KOLN+	10	Do.
	KHOL+	13	Do.
Wheeler	KHAS	5	Do.
	KHQL	8	Do.
	KOLN+	10	Do.
York	KHTL	4	Do.
	KHAS	5	Do.
	KOLN+	10	Do.
NEVADA			
Churchill	KCRL	4	Reno.
	KOLO	8	Do.
Clark	KORK	3	Las Vegas.
	KHBV	5	Do.
	KLAS	8	Do.
	KSHO	13	Do.
Douglas	KTVN	2	Reno.
	KCRL	4	Do.
	KOLO	8	Do.
	KTVU	2	San Francisco.
Elko	KSL	5	Salt Lake City.
	KBOI	2	Boise.
	KTVB+	7	Do.
	KOLO	8	Reno.
Esmeralda	KOLO	8	Do.
Eureka	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Humboldt	KOLO	8	Reno.
	KBOI	2	Boise.
	KTVB+	7	Do.
Lander	KTVN	2	Reno.
	KOLO	8	Do.
Lincoln	KORK	3	Las Vegas.
	KLAS	8	Do.
	KCPX	4	Salt Lake City.
Lyon	KTVN	2	Reno.
	KCRL	4	Do.
	KOLO	8	Do.
Mineral	KTVN	2	Do.
	KCPL	4	Do.
	KOLO	8	Do.
Nye	KTVN	2	Do.
	KCRL	4	Do.
	KOLO	8	Do.
	KORK	3	Las Vegas.
Ormsby	KTVN	2	Reno.
	KCRL	4	Do.
	KOLO	8	Do.
Pershing	KTVN	2	Do.
	KCRL	4	Do.
	KOLO	8	Do.
Storey	KTVN	2	Do.
	KCRL	4	Do.
	KOLO	8	Do.
Washoe	KTVN	2	Do.
	KCRL	4	Do.
	KOLO	8	Do.
White Pine	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.

County	Call letters and channel numbers		Market name
NEW HAMPSHIRE			
Belknap	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WMUR	9	Manchester.
Carroll	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Cheshire	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WTIC	3	Hartford-New Haven.
	WMUR	9	Manchester.
	WWLP+	22	Springfield, Mass.
Coos	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
	WCAX	3	Burlington-Platts-burgh.
Grafton	WMTW	8	Portland-Poland Spring.
	WCAX	3	Burlington-Platts-burgh.
Hillsborough	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
	WMUR	9	Manchester.
Merrimack*	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WMUR	9	Manchester.
	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
Rockingham	WBZ	4	Boston.
	WHDH	5	Do.
	WHAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
	WMUR	9	Manchester.
Strafford	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WMUR	9	Manchester.
	WCSH	6	Portland-Poland Spring.
	WMTW	8	Do.
	WGAN	13	Do.
Sullivan	WBZ	4	Boston.
	WHDH	5	Do.
	WCAX	3	Burlington-Platts-burgh.
	WMUR	9	Manchester.
	WWLP+	22	Springfield, Mass.
NEW JERSEY			
Atlantic	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.

County	Call letters and channel numbers		Market name
NEW JERSEY—Continued			
Bergen	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Burlington	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Camden	KYW	3	Do.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Cape May	KYW	3	Do.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WKBS	48	Do.
Cumberland	KYW	3	Do.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Essex	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Gloucester	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WKBS	48	Do.
Hudson	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Hunterdon	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WTAF	29	Do.
Mercer	KYW	3	Do.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WKBS	48	Do.
	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Middlesex	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Monmouth	WCBS	2	Do.
	WNBC	2	Do.
Monmouth	WNEW	5	New York.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Morris	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Ocean	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WFIL	6	Philadelphia.
Passaic	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do
	WPIX	11	Do.
Salem	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Somerset	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Sussex	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Union	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Warren	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WPIX	11	Do.
NEW MEXICO			
Bernalillo	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Catron	KOB	4	Do;
	KOAT	7	Do.
	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
Chaves	KBIM	10	Roswell.
	KCBD	11	Lubbock.
Colfax	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
	KRDO	13	Colorado Springs-Pueblo.

County	Call letters and channel numbers		Market name
NEW MEXICO—Continued			
Curry	KVII	7	Amarillo.
	KFDA+	10	Do.
	KCBD+	11	Lubbock.
De Baca	KCBD	11	Do.
	KOAT	7	Albuquerque.
	KBIM	10	Roswell.
Dona Ana	KROD	4	El Paso.
	KTSM	9	Do.
	KELP+	13	Do.
Eddy	KBIM	10	Roswell.
	KELP+	13	El Paso.
	KCBD+	11	Lubbock.
Grant	KROD	4	El Paso.
	KTSM	9	Do.
	KOAT	7	Albuquerque.
Guadalupe	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Harding	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Hidalgo	KTVK	3	Phoenix.
	KOOL	10	Do.
	KTAR	12	Do.
	KVOA	4	Tucson.
	KGUN	9	Do.
	KOLD	13	Do.
Lea North	KBIM	10	Roswell.
	KCBD+	11	Lubbock.
Lea South	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
	KCBD+	11	Lubbock.
	KBIM	10	Roswell.
Lincoln	KOB	4	Albuquerque.
	KCBD+	11	Lubbock.
	KBIM	10	Roswell.
Los Alamos	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Luna	KROD	4	El Paso.
	KTSM	9	Do.
	KELP+	13	Do.
McKinley	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Mora	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Otero	KROD	4	El Paso.
	KTSM	9	Do.
	KOAT	7	Albuquerque.
Quay	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
	KOAT	7	Albuquerque.
	KCBD+	11	Lubbock.
Rio Arriba	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Roosevelt	KFDA+	10	Amarillo.
	KCBD+	11	Lubbock.
Sandoval	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
San Juan	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
San Miguel	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Santa Fe	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Sierra	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Socorro	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.
Taos	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Torrance	KOB	4	Do.
	KOAT	7	Do.
	KGGM	13	Do.
Union	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
	KKTV	11	Colorado Springs-Pueblo.
	KRDO	13	Do.
Valencia	KOB	4	Albuquerque.
	KOAT	7	Do.
	KGGM	13	Do.

Census county divisions in split counties
Lea North: Lea North Central, Lovington, Tatum.
Lea South: All other.

County	Call letters and channel numbers		Market name
NEW YORK			
Albany	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
Allegany	WGP	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
Bronx	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Broome	WNBF	12	Binghamton.
	WBJA	34	Do.
	WINR	40	Do.
Cattaraugus	WGP	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
Cayuga	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WHEC	10	Rochester, N.Y.
	WOKR	13	Do.
Chautauqua	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
Chemung	WSYE	18	Elmira.
	WENY	36	Do.
	WNBF	12	Binghamton.
	WNEW	5	New York.
Chenango	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WNBF	12	Binghamton.
	WINR	40	Do.
Clinton	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WVNY	22	Do.
	CBMT	6	Canada.
	CFCF	12	Do.
Columbia	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
Cortland	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.

County	Call letters and channel numbers		Market name
NEW YORK—Continued			
Delaware	WNBF	12	Binghamton.
	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WKTV	2	Utica.
Dutchess	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WTEN+	10	Albany-Schenectady-Troy.
Erie	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WUTV	29	Do.
Essex	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
Franklin	WCAX	3	Do.
	WPTZ	5	Do.
	CBOT	4	Canada
	CBMT	6	Do.
	CJSS	8	Do.
	CFCF	12	Do.
Fulton	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
Genesee	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
Greene	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
Hamilton	WRGB	6	Do.
	WTEN+	10	Do.
Herkimer	WKTV	2	Utica.
	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WHEN	5	Syracuse.
	WNYS	9	Do.
Jefferson	WWNY	7	Watertown-Carthage
	WSYR	3	Syracuse.
	WHEN	5	Do.
	CKWS	11	Canada.
Kings	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Lewis	WWNY	7	Watertown-Carthage
	WSYR	3	Syracuse.
	WHEN	5	Do.
	WKTV	2	Utica.
Livingston	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
	WGR	2	Buffalo.
Madison	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WKTV	2	Utica.
Monroe	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.

County	Call letters and channel numbers		Market name
NEW YORK—Continued			
Montgomery	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
	WKTV	2	Utica.
Nassau	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
New York	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Niagara	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WUTV	29	Do.
	CBLT	6	Canada.
	CFTO	9	Do.
	CHCH	11	Do.
Oneida East	WKTV	2	Utica.
	WUTR	20	Do.
	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
Oneida West	WSYR	3	Do.
	WHEN	5	Do.
	WNYS	9	Do.
	WKTV	2	Utica.
Onondaga	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
Ontario	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
Orange	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Orleans	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WUTV	29	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
Oswego	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
Otsego	WKTV	2	Utica.
	WRGB	6	Albany-Schenectady-Troy.
	WNBF	12	Binghamton.
	WHEN	5	Syracuse.
	WNYS	9	Do.
Putnam	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Queens	WCBS	2	Do.
	WNBC	4	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WNEW	5	Do.

County	Call letters and channel numbers		Market name
NEW YORK—Continued			
Rensselaer	WRGB	6	Albany-Schenectady-Troy.
	WTEN	10	Do.
	WAST	13	Do.
Richmond	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Rockland	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
St. Lawrence	WWNY	7	Watertown-Carthage.
	WPTZ	5	Burlington-Plattsburgh.
	CBOT	4	Canada.
	CJSS	8	Do.
	CKWS	11	Do.
Saratoga	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
	WAST	13	Do.
Schenectady	WRGB	6	Do.
	WTEN+	10	Do.
	WAST	13	Do.
Schoharie	WRGB	6	Do.
	WTEN+	10	Do.
	WAST	13	Do.
Schuyler	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
Seneca	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
Steuben	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WNBF	12	Binghamton.
	WBEN	4	Buffalo.
	WKBW	7	Do.
	WSYE	18	Elmira.
Suffolk East	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WTIC	3	Hartford-New Haven.
	WNHC	8	Do.
Suffolk West	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Sullivan	WCBS	2	Do.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Tioga	WNBF	12	Binghamton.
	WBJA	34	Do.
	WINR	40	Do.
Tompkins	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WNBF	12	Binghamton.
Ulster	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
	WRGB	6	Albany-Schenectady-Troy.
	WTEN+	10	Do.
Warren	WRGB	6	Do.
	WTEN+	10	Do.
	WAST	13	Do.
Washington	WRGB	6	Do.
	WTEN+	10	Do.
	WAST	13	Do.
Wayne	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
Westchester	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WOR	9	Do.
	WPIX	11	Do.
Wyoming	WER	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.
	WOKR	13	Do.
Yates	WSYR	3	Syracuse.
	WHEN	5	Do.
	WNYS	9	Do.
	WROC	8	Rochester, N.Y.
	WHEC	10	Do.

Census county divisions in split counties:
Oneida West: Annsville, Ava, Boonville, Camden, Florence, Forestport, Lee, Rome City, Vernon, Verona, Vienna, Western, Sherrill.
Oneida East: All other.
Suffolk West: Babylon, Huntington, Islip, Smithtown.
Suffolk East: All other.

NORTH CAROLINA			
Alamance	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Alexander	WBTV	3	Charlotte.
	WSOC	9	Do.
	WRET	36	Do.
	WGHP	8	Greensboro-Winston Salem-High Point.
	WSJS	12	Do.
Alleghany	WFMY	2	Do.
	WGHP	8	Do.
	WSJS	12	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.

County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Anson	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WBTW	13	Florence, S.C.
	WGHP	8	Greensboro-Winston Salem-High Point.
Ashe	WBTV	3	Charlotte.
	WCYB	5	Bristol-Kingsport-Johnson City.
	WGHP	8	Greensboro-Winston Salem-High Point.
Avery	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
Beaufort	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Bertie	WITN	7	Do.
	WNCT	9	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Bladen	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Brunswick	WWAY	3	Do.
	WECT	6	Do.
Buncombe	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Burke	WBTV	3	Charlotte.
	WSOC	9	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Cabarrus	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
Caldwell	WBTV	3	Do.
	WSOC	9	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Camden	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Carteret	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Caswell	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WRAL	5	Raleigh-Durham.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Catawba	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.

County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Catawba	WSPA	7	Greenville-Spartanburg-Asheville.
	WLOS	13	Do.
Chatham	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
Cherokee	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WLOS	13	Do.
Chowan	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Norfolk-Portsmouth-Newport News.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
Clay	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSB	2	Atlanta.
	WAGA	5	Do.
	WQXI	11	Do.
Cleveland	WBTV	3	Charlotte.
	WSOC	9	Do.
	WFBC		Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Columbus	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
	WBTW	13	Florence, S.C.
Craven	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Cumberland	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WECT	6	Wilmington, N.C.
Currituck	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Dare	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WITN	7	Greenville-New Bern-Washington.
Davidson	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Davie	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Duplin	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.

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County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Duplin	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Durham	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
	WFMY	2	Greensboro-Winston Salem-High Point.
Edgecombe	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Forsyth	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Franklin	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WNCT	9	Greenville-New Bern-Washington.
Gaston	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.
Gates	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Graham	WATE	6	Knoxville.
	WBIR	10	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WLOS	13	Do.
Granville	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
Greene	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Guilford	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Halifax	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Harnett	WRAL	5	Do.
	WTVD	11	Do.
	WECT	6	Wilmington, N.C.
Haywood	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Henderson	WFBC	4	Do.
	WSPA	7	Do.
	WLOS	13	Do.
Hertford	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Hoke	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WBTW	13	Florence, S.C.
	WGHP	8	Greensboro-Winston Salem-High Point.
	WECT	6	Wilmington, N.C.

County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Hyde	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Iredell	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WGHP	8	Greensboro-Winston Salem-High Point.
	WSJS	12	Do.
Jackson	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Johnston	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
Jones	WITN	7	Do.
	WNCT	9	Do.
	WCTI	12	Do.
Lee	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
Lenoir	WITN	7	Greenville-New Bern Washington.
	WNCT	9	Do.
	WCTI	12	Do.
	WRAL	5	Raleigh-Durham.
Lincoln	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WSPA	7	Greenville-Spartanburg-Asheville.
	WLOS	13	Do.
McDowell	WFBC	4	Do.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
Macon	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WSB	2	Atlanta.
Madison	WFBC	4	Greenville-Spartanburg-Asheville.
	WLOS	13	Do.
Martin	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Mecklenburg	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
Mitchell	WBTV	3	Charlotte.
	WCYB	5	Bristol-Kingsport-Johnson City.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Montgomery	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.

County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Moore	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WECT	6	Wilmington, N.C.
Nash	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
New Hanover	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Northampton	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
Onslow	WITN	7	Do.
	WNCT	9	Do.
	WCTI	12	Do.
	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Orange	WRAL	5	Raliegh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
Pamlico	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
Pasquotank	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WYAH	27	Do.
Pender	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Perquimans	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Person	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WRDU	28	Do.
	WFMY	2	Greensboro-Winston Salem-High Point.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Pitt	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WCTI	12	Do.
	WRAL	5	Raleigh-Durham.
Polk	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
Randolph	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Richmond	WBTV	3	Charlotte.
	WSOC	9	Do.
	WBTW	13	Florence, S.C.
Richmond	WGHP	8	Greensboro-Winston Salem-High Point.
Robeson	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
	WBTW	13	Florence, S.C.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Rockingham	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Rowan	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Rutherford	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Sampson	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Scotland	WBTW	13	Florence, S.C.
	WGHP	8	Greensboro-Winston Salem-High Point.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
	WECT	6	Wilmington, N.C.
Stanly	WBTV	3	Charlotte.
	WSOC	9	Do.
	WGHP	8	Greensboro-Winston Salem-High Point.
Stokes	WFMY	2	Do.
	WGHP	8	Do.
	WSJS	12	Do.
Surry	WFMY	2	Do.
	WGHP	8	Do.
	WSJS	12	Do.
Swain	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Transylvania	WFBC	4	Do.
	WSPA	7	Do.
	WLOS	13	Do.
Tyrrell	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
Union	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
Vance	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Wake	WRAL	5	Do.
	WTVD	11	Do.

County	Call letters and channel numbers		Market name
NORTH CAROLINA—Continued			
Warren	WRAL	5	Raleigh-Durham
	WTVD	11	Do.
	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
Washington	WITN	7	Do.
	WNCT	9	Do.
	WCTI	12	Do.
Watauga	WBTV	3	Charlotte.
	WCYB	5	Bristol-Kingsport-Johnson City.
	WGHP	8	Greensboro-Winston Salem-High Point.
Wayne	WITN	7	Greenville-New Bern-Washington.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Wilkes	WGHP	8	Greensboro-Winston Salem-High Point.
	WSJS	12	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Wilson	WITN	7	Greensboro-Winston Salem-High Point.
	WNCT	9	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.
Yadkin	WFMY	2	Greensboro-Winston Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Yancey	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
NORTH DAKOTA			
Adams	KDIX	2	Dickinson, N. Dak.
	KFYR	5	Minot-Bismarck.
Barnes	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Benson	KXJB	4	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
	KXMC	13	Minot-Bismarck.
Billings	KDIX	2	Dickinson, N. Dak.
	KFYR	5	Minot-Bismarck.
Bottineau	KNOT	10	Do.
	KXMC	13	Do.
Bowman	KDIX	2	Dickinson, N. Dak.
	KFYR	5	Minot-Bismarck.
	KOTA+	3	Rapid City.
Burke	KUMV	8	Minot-Bismarck.
	KMOT	10	Do.
	KXMC	13	Do.
	CKOS	3	Canada.
Burleigh	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Cass	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Cavalier	WDAZ	8	Do.
	KCND	12	Pembina.
	CJAY	7	Canada.
Dickey	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Dickey	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Divide	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.
	CKCK	2	Canada.
Dunn	KDIX	2	Dickinson, N. Dak.
	KFYR	5	Minot-Bismarck.
	KUMV	8	Do.
Eddy	KXJB	4	Fargo.
	WDAZ	8	Do.
	KTHI	11	Do.
Emmons	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Foster	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Golden Valley	KUMV	8	Minot-Bismarck.
	KDIX	2	Dickinson, N. Dak.
Grand Forks*	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Grant	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Griggs	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Hettinger	KFYR	5	Minot-Bismarck.
	KDIX	2	Dickinson, N. Dak.
Kidder	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
La Moure	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Logan	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
McHenry	KMOT	10	Do.
	KXMC	13	Do.
McIntosh	KFYR	5	Do.
	KXMB	12	Do.
McKenzie	KUMV	8	Do.
	KXMD	11	Do.
McLean	KFYR	5	Do.
	KXMB	12	Do.
	KXMC	13	Do.
Mercer	KFYR	5	Do.
	KXMC	13	Do.
Morton East	KFYR	5	Do.
	KXMB	12	Do.
Morton West	KFYR	5	Do.
	KXMB	12	Do.
Mountrail	KUMV	8	Do.
	KMOT	10	Do.
	KXMC	13	Do.
Nelson	KXJB	4	Fargo.
	WDAY	6	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
Oliver	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Pembina	KCND	12	Pembina.
	KXJB	4	Fargo.
	WDAZ	8	Do.
	CBWT	6	Canada.
	CJAY	7	Do.
Pierce	KMOT	10	Minot-Bismarck.
	KXMC	13	Do.
Ramsey	KXJB	4	Fargo.
	WDAZ	8	Do.
	KTHI	11	Do.
Ransom	KXJB	4	Do.
	WDAY	6	Do.
	KTHI	11	Do.

County	Call letters and channel numbers		Market name
NORTH DAKOTA—Continued			
Renville	KMOT	10	Minot-Bismarck.
	KXMC	13	Do.
Richland*	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Rolette	KMOT	10	Minot-Bismarck.
	KXMC	13	Do.
	CKX	5	Canada.
Sargent	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Sheridan	KFYR	5	Minot-Bismarck.
	KXMC	13	Do.
Sioux	KFYR	5	Do.
	KXMB	12	Do.
Slope	KDIX	2	Dickinson, N. Dak.
Stark	KDIX	2	Do.
	KFYR	5	Minot-Bismarck.
Steele	KXJB	4	Fargo.
	WDAY	6	Do.
	KTHI	11	Do.
Stutsman	KXJB	4	Do.
	WDAY	6	Do.
	KTHI	11	Do.
	KFYR	5	Minot-Bismarck.
Towner	KXJB	4	Fargo.
	WDAZ	8	Do.
Traill	KXJB	4	Do.
	WDAY	6	Do.
	KTHI	11	Do.
Walsh	KXJB	4	Do.
	WDAZ	8	Do.
	KTHI	11	Do.
	KCND	12	Pembina.
Ward	KMOT	10	Minot-Bismarck.
	KXMC	13	Do.
Wells	KFYR	5	Do.
	KXMC	13	Do.
	KXJB	4	Fargo.
	WDAZ	8	Do.
	KTHI	11	Do.
Williams	KUMV	8	Minot-Bismarck.
	KXMD	11	Do.

Census county divisions in split counties:
Morton East: Mandan, Mandan North, Mandan South.
Morton West: All other.

OHIO

Adams	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
Allen	WIMA	35	Lima.
	WHIO	7	Dayton.
	WANE	15	Fort Wayne.
	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Ashland	WKYC	3	Cleveland
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Ashtabula	WKYC	3	Do.
	WEWS	5	Do.
	WJW	8	Do.
	WICU	12	Erie.
	WJET	24	Do.
	WSEE	35	Do.

County	Call letters and channel numbers		Market name
OHIO—Continued			
Athens	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WLWC	4	Columbus, Ohio.
Auglaize	WLWD	2	Dayton.
	WHIO	7	Do.
	WIMA	35	Lima.
Belmont	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
Brown	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Butler	WLWT	5	Do.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WLWD	2	Dayton.
	WHIO	7	Do.
Carroll	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Champaign	WLWD	2	Dayton.
	WHIO	7	Do.
	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Clark	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Clermont	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Clinton	WLWT	5	Do.
	WCPO	9	Do.
	WKRC	12	Do.
	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
Columbiana	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	WFMJ	21	Youngstown.
	WKBN	27	Do.
	WYTV	33	Do.
Coshocton	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	WHIZ	18	Zanesville.

County	Call letters and channel numbers		Market name
OHIO—Continued			
Crawford	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
Cuyahoga	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Darke	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
	WCPO	9	Cincinnati.
Defiance	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Delaware	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Erie	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
Fairfield	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Fayette	WLWC	4	Do.
	WTVN	6	Do.
	WBNS	10	Do.
	WHIO	7	Dayton.
Franklin	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Fulton	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Gallia	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Geauga	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Greene	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
	WCPO	9	Cincinnati.
	WKRC	12	Do.
Guernsey	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
Hamilton	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Hancock	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Hardin	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
Harrison	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Henry	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Highland	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WHIO	7	Dayton.
Hocking	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Holmes	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
Huron	WKYC	3	Do.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
	WTOL	11	Toledo.
	WSPD	13	Do.
Jackson	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Jefferson	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Knox	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Lake	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Lawrence	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Licking	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Logan	WLWC	4	Do.
	WTVN	6	Do.
	WBNS	10	Do.
	WLWD	2	Dayton.
	WHIO	7	Do.
Lorain	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Lucas*	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WJBK	2	Detroit.
	WXYZ	7	Do.
Madison	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Mahoning	WFMJ	21	Youngstown.
	WKBN	27	Do.
	WYTV	33	Do.

County	Call letters and channel numbers		Market name
OHIO—Continued			
Marion	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Medina	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Meigs	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Mercer	WLWD	2	Dayton.
	WHIO	7	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
	WIMA	35	Lima.
Miami	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
	WKTR	16	Kettering (Dayton).
Monroe	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	WDTV	5	Clarksburg-Weston.
	WTAE	4	Pittsburgh.
Montgomery	WLWD	2	Dayton.
	WHIO	7	Do.
	WKTR	16	Do.
	WKEF	22	Do.
	WCPO	9	Cincinnati.
	WKRC	12	Do.
Morgan	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WTAP	15	Parkersburg.
	WHIZ	18	Zanesville.
Morrow	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Muskingum	WHIZ	18	Zanesville.
	WLWC	4	Columbus, Ohio
	WTVN	6	Do.
	WBNS	10	Do.
Noble	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
Ottawa	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WEWS	5	Cleveland.
	WJBK	2	Detroit.
Paulding	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Perry	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
	WHIZ	18	Zanesville.
Pickaway	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Pike	WLWC	4	Do.
	WTVN	6	Do.
	WBNS	10	Do.
	WSAZ	3	Charleston-Huntington.
	WHTN	13	Do.

County	Call letters and channel numbers		Market name
OHIO—Continued			
Portage	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Preble	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
Putnam	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WIMA	35	Lima.
Richland	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WBNS	10	Columbus, Ohio.
Ross	WLWC	4	Do.
	WTVN	6	Do.
	WBNS	10	Do.
Sandusky	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
Scioto	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Seneca	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WEWS	5	Cleveland.
Shelby	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
Stark	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Summit	WKYC	3	Do.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
	WAKR	23	Akron.
Trumbull	WFMJ	21	Youngstown.
	WKBN	27	Do.
	WYTV	33	Do.
	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
Tuscarawas	WKYC	3	Do.
	WEWS	5	Do.
	WJW	8	Do.
	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
Union	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.
Van Wert	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
	WIMA	35	Lima.
Vinton	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WLWC	4	Columbus, Ohio.
	WTVN	6	Do.
	WBNS	10	Do.

County	Call letters and channel numbers		Market name
OHIO—Continued			
Warren	WLWT	5	Cincinnati.
	WCPO	9	Do.
	WKRC	12	Do.
	WXIX	19	Do.
	WLWD	2	Dayton.
	WHIO	7	Do.
	WKEF	22	Do.
Washington	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WTAP	15	Parkersburg.
	WTRF	7	Wheeling-Steubenville.
Wayne	WKYC	3	Cleveland.
	WEWS	5	Do.
	WJW	8	Do.
	WUAB	43	Do.
	WKBF	61	Do.
Williams	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WANE	15	Fort Wayne.
	WPTA	21	Do.
	WKJG	33	Do.
Wood	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WKBD	50	Detroit.
Wyandot	WTOL	11	Toledo.
	WSPD	13	Do.
	WDHO	24	Do.
	WLWC	4	Columbus, Ohio.
	WBNS	10	Do.
OKLAHOMA			
Adair	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Alfalfa	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Atoka	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
Beaver	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Beckham	KFDA+	10	Amarillo.
	KSWO	7	Wichita Falls-Lawton.
Blaine	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Bryan	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
	KDFW	4	Dallas-Fort Worth.
	WFAA	8	Do.
	KTVT	11	Do.
Caddo	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Canadian	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
Carter	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
	KWTV	9	Oklahoma City.
	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
Cherokee	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.

County	Call letters and channel numbers		Market name
OKLAHOMA—Continued			
Choctaw	KTVT	11	Dallas-Fort Worth.
	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
Cimarron	KGNC	4	Amarillo.
	KVII	7	Do.
	KDFA+	10	Do.
Cleveland	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Coal	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
	WKY	4	Oklahoma City.
Comanche	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Cotton	KFDX	3	Do.
	KAUZ	6	Do.
	KSWO	7	Do.
Craig	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
	KOAM	7	Joplin-Pittsburg.
Creek	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Custer	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Delaware	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
Dewey	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Ellis	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
	KGNC	4	Amarillo.
	KFDA+	10	Do.
Garfield	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Garvin	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEN	10	Ardmore-Ada.
Grady	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Grant	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
Greer	KFDX	3	Wichita Falls-Lawton
	KAUZ	6	Do.
	KSWO	7	Do.
	KFDA+	10	Amarillo.
Harmon	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Harper	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTVC	6	Wichita-Hutchinson.
	KUPK	13	Do.
Haskell*	KTUL	8	Tulsa.
	KFSA	5	Fort Smith.
Hughes	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEN	10	Ardmore-Ada.

County	Call letters and channel numbers		Market name
OKLAHOMA—Continued			
Hughes	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Jackson	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Jefferson	KFDX	3	Do.
	KAUZ	6	Do.
	KSWO	7	Do.
Johnston	KTEN	10	Do.
	KXII	12	Do.
Kay	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEW	2	Tulsa.
	KOTV	6	Do.
	KARD	3	Wichita-Hutchinson.
	KAKE	10	Do.
Kingfisher	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Kiowa	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
	WKY	4	Oklahoma City.
	KOCO	5	Do.
Latimer	KTUL	8	Tulsa.
	KTEN	10	Ardmore-Ada.
	KFSA	5	Fort Smith.
Le Flore	KFSA	5	Do.
	KTUL	8	Tulsa.
Lincoln	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Logan	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
Love	KDFW	4	Dallas-Fort Worth.
	WFAA	8	Do.
	KTVT	11	Do.
	KXII	12	Ardmore-Ada.
	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
McClain	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
McCurtain	KTBS	3	Shreveport-Texarkana.
	KTAL	12	Do.
	KSFA	5	Fort Smith.
McIntosh	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Major	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Marshall	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
	KDFW	4	Dallas-Fort Worth.
Mayes	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Murray	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
Muskogee	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Noble	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Nowata	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Okfuskee	KTEW	2	Do.
	KOTV	6	Do.
	KTUL	8	Do.
	KTEN	10	Ardmore-Ada.
	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Oklahoma	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
Okmulgee	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Osage	KTEW	2	Do.
	KOTV	6	Do.
	KTUL	8	Do.
Ottawa	KOAM	7	Joplin-Pittsburg.
	KODE	12	Do.
	KUHI	16	Do.
	KOTV	6	Tulsa.
	KTUL	8	Do.
Pawnee	KTEW	2	Do.
	KOTV	6	Do.
	KTUL	8	Do.
Payne	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEW	2	Tulsa.
	KOTV	6	Do.
Pittsburg	KTEW	2	Do.
	KOTV	6	Do.
	KTUL	8	Do.
	KTEN	10	Ardmore-Ada.
Pontotoc	KTEN	10	Do.
	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Pottawatomie	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
Pushmataha	KTEN	10	Ardmore-Ada.
	KXII	12	Do.
Roger Mills	KFDA+	10	Amarillo.
	WKY	4	Oklahoma City.
Rogers	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Seminole	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KTEN	10	Ardmore-Ada.
Sequoyah	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
	KSFA	5	Fort Smith.
Stephens	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Texas	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
	KTVC	6	Wichita-Hutchinson.
	KGLD	11	Do.
	KUPK	13	Do.
Tillman	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Tulsa	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.

County	Call letters and channel numbers		Market name
OKLAHOMA—Continued			
Wagoner	KTEW	2	Tulsa.
	KOTV	6	Do.
	KTUL	8	Do.
Washington	KTEW	2	Do.
	KOTV	6	Do.
	KTUL	8	Do.
Washita	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Woods	WKY	4	Oklahoma City.
	KOCO	5	Do.
	KWTV	9	Do.
Woodward	WKY	4	Do.
	KOCO	5	Do.
	KWTV	9	Do.
OREGON			
Baker	KBOI	2	Boise.
	KTVB+	7	Do.
Benton	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KPTV	12	Do.
	KEZI	9	Eugene.
	KVAL	13	Do.
Clackamas	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Clatsop	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KING	5	Seattle-Tacoma.
Columbia	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Coos	KCBY	11	Eugene.
	KOBI	5	Medford.
Crook	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KEZI	9	Eugene.
Curry	KIEM	3	Eureka.
	KVIQ	6	Do.
Deschutes	N.A.		
Douglas	KPIC	4	Eugene.
	KEZI	9	Do.
	KOBI	5	Medford.
Gilliam	KEPR	19	Yakima.
	KNDU	25	Do.
	KOIN	6	Portland, Oreg.
	KGW	8	Do.
	KPTV	12	Do.
Grant	KBOI	2	Boise.
	KTVB+	7	Do.
Harney	N.A.		
Hood River	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Jackson	KOBI	5	Medford.
	KMED	10	Do.
Jefferson	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.

County	Call letters and channel numbers		Market name
OREGON—Continued			
Josephine	KOBI	5	Medford.
	KMED	10	Do.
Klamath	KOTI	2	Klamath Falls.
	KMED	10	Medford.
Lake	KOTI	2	Klamath Falls.
Lane Inner	KEZI	9	Eugene.
	KVAL	13	Do.
Lane Outer*	KEZI	9	Do.
	KVAL	13	Do.
	KOIN	6	Portland, Oreg.
Lincoln	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KEZI	9	Eugene.
	KVDO	3	Salem, Oreg.
Linn	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KEZI	9	Eugene.
	KVAL	13	Do.
	KVDO	3	Salem, Oreg.
Malheur	KBOI	2	Boise.
	KTVB+	7	Do.
Marion	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KVDO	3	Salem, Oreg.
Morrow	KEPR	19	Yakima.
	KNDU	25	Do.
	KVEW	42	Do.
	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
Multnomah	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Polk	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KVDO	3	Salem, Oreg.
Sherman	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Tillamook	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
	KVDO	3	Salem, Oreg.
Umatilla	KEPR	19	Yakima.
	KNDU	25	Do.
	KVEW	42	Do.
Union	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KTVB+	7	Boise.
Wallowa	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Wasco	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Washington	KATU	2	Do.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Yamhill	KATU	2	Do.
	KOIN	6	Do.

County	Call letters and channel numbers		Market name
OREGON—Continued			
Yamhill	KGW	8	Portland, Oreg.
	KPTV	12	Do.
	KVDO	3	Salem, Oreg.
Wheeler	N.A.	--	

Census county divisions in split counties:
Lane Inner: Eugene, Springfield, Eugene West.
Lane Outer: All other.

County	Call letters and channel numbers		Market name
PENNSYLVANIA			
Adams	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WTTG	5	Washington, D.C.
Allegheny	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
Armstrong	KDKA	2	Do.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WJAC	6	Johnstown-Altoona.
Beaver	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WSTV	9	Wheeling-Steubenville.
Bedford	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Berks	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WKBS	48	Do.
	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
Blair	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Bradford	WNBF	12	Binghamton.
	WSYE	18	Elmira.
	WENY	36	Do.
Bucks	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Butler	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WJAC	6	Johnstown-Altoona.
Cambria	WJAC	6	Do.
	WFBG	10	Do.
	KDKA	2	Do.
	KTAE	4	Do.
Cameron	N.A.		
Carbon	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WNEP	16	Wilkes-Barre-Scranton.
Centre	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Chester	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Clarion	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WJAC	6	Johnstown-Altoona.
Clearfield	WJAC	6	Do.
	WFBG	10	Do.
Clinton*	WFBG	10	Do.
Columbia	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Crawford	WICU	12	Erie.
	WJET	24	Do.
	WSEE	35	Do.
Cumberland	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WHP	21	Do.
	WTPA	27	Do.
Dauphin	WGAL	8	Do.
	WHP	21	Do.
	WTPA	27	Do.
Delaware	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Elk	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Erie	WICU	12	Erie.
	WJET	24	Do.
	WSEE	35	Do.
Fayette	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Forest	WICU	12	Erie.
	WJAC	6	Johnstown-Altoona.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
Franklin	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
Fulton	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Greene	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WTRF	7	Wheeling-Steubenville.
Huntingdon	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Indiana	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Jefferson	WJAC	6	Do.
	WFBG	10	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.

County	Call letters and channel numbers		Market name
PENNSYLVANIA—Continued			
Juniata	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WHP	21	Do.
	WTPA	27	Do.
	WFBG	10	Johnstown-Altoona.
Lackawanna	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Lancaster	WGAL	8	Harrisburg-York Lancaster-Lebanon.
	WLYH	15	Do.
	WTPA	27	Do.
	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
Lawrence	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WFMJ	21	Youngstown.
	WKBN	27	Do.
	WYTV	33	Do.
Lebanon	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WLYH	15	Do.
	WHP	21	Do.
	WTPA	27	Do.
Lehigh	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
Luzerne	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Lycoming	WNEP	16	Do.
	WDAU	22	Do.
	WBRE	28	Do.
	WFBG	10	Johnstown-Altoona.
McKean	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
Mercer	WFMJ	21	Youngstown.
	WKBN	27	Do.
	WYTV	33	Do.
	KDKA	2	Pittsburgh.
	WIIC	11	Do.
Mifflin	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WJAC	6	Johnstown-Altoona.
	WFBG	10	Do.
Monroe	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
Montgomery	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Montour	----------		Over 90 percent cable penetration.
Northampton	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WNEW	5	New York.
	WOR	9	Do.
	WPIX	11	Do.
Northumberland	----------		Over 90 percent cable penetration.
Perry	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WHP	21	Do.
	WTPA	27	Do.
Philadelphia	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WPHL	17	Do.
	WTAF	29	Do.
	WKBS	48	Do.
Pike	WCBS	2	New York.
	WNBC	4	Do.
	WNEW	5	Do.
	WABC	7	Do.
	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Potter	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
Schuykill	KYW	3	Philadelphia.
	WFIL	6	Do.
	WCAU	10	Do.
	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
Snyder	WGAL	8	Do.
	WHP	21	Do.
	WTPA	27	Do.
	WNEP	16	Wilkes-Barre-Scranton.
	WBRE	28	Do.
Somerset	WJAC	6	Johnstown-Altoona.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
Sullivan	WNBF	12	Binghamton.
	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Susquehanna	WNBF	12	Binghamton.
	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Tioga	WSYE	18	Elmira.
	WENY	36	Do.
	WNBF	12	Binghamton.
Union	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
Venango	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WICU	12	Erie.
	WJAC	6	Johnstown-Altoona.
Warren	WGR	2	Buffalo.
	WBEN	4	Do.
	WKBW	7	Do.
	WICU	12	Erie.
Washington	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
Wayne	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
	WNBF	12	Binghamton.
	WNBC	4	New York.
	WNEW	5	Do.

County	Call letters	and channel numbers	Market name
PENNSYLVANIA—Continued			
Westmoreland	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WPGH	53	Do.
	WJAC	6	Johnstown-Altoona.
Wyoming	WNEP	16	Wilkes-Barre-Scranton.
	WDAU	22	Do.
	WBRE	28	Do.
York	WGAL	8	Harrisburg-York-Lancaster-Lebanon.
	WTPA	27	Do.
	WSBA	43	Do.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
RHODE ISLAND			
Bristol	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WNAC	7	Do.
	WSBK	38	Do.
Kent	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WHDH	5	Boston.
	WNAC	7	Do.
	WSBK	38	Do.
Newport	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WNAC	7	Boston.
	WSBK	38	Do.
	WKBG	56	Do.
Providence	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
	WBZ	4	Boston.
	WHDH	5	Do.
	WNAC	7	Do.
	WSBK	38	Do.
	WKBG	56	Do.
Washington*	WTEV	6	Providence.
	WJAR	10	Do.
	WPRI	12	Do.
SOUTH CAROLINA			
Abbeville	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WJBF	6	Augusta.
Aiken*	WJBF	6	Do.
	WRDW	12	Do.
Allendale	WJBF	6	Do.
	WRDW	12	Do.
Anderson	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Bamberg	WJBF	6	Augusta.
	WRDW	12	Do.
	WCSC	5	Charleston, S.C.
	WIS	10	Columbia, S.C.
Barnwell	WJBF	6	Augusta.
	WRDW	12	Do.
	WIS	10	Columbia, S.C.

County	Call letters	and channel numbers	Market name
SOUTH CAROLINA—Continued			
Beaufort	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
	WSAV	3	Savannah.
	WTOC	11	Do.
Berkeley	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Calhoun	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WRDW	12	Augusta.
	WUSN	2	Charleston, S.C.
	WCSC	5	Do.
Charleston	WUSN	2	Do.
	WCIV	4	Do.
	WCSC	5	Do.
Cherokee	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
	WSOC	9	Do.
Chester	WBTV	3	Do.
	WSOC	9	Do.
	WIS	10	Columbia, S.C.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Chesterfield	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WIS	10	Columbia, S.C.
	WBTW	13	Florence, S.C.
Clarendon	WIS	10	Columbia, S.C.
	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
	WBTW	13	Florence, S.C.
Colleton	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Darlington	WBTW	13	Florence, S.C.
	WIS	10	Columbia, S.C.
Dillon*	WBTW	13	Florence, S.C.
	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Dorchester	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Edgefield	WJBF	6	Augusta.
	WRDW	12	Do.
Fairfield	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WOLO	25	Do.
	WSPA	7	Greenville-Spartanburg-Asheville.
Florence	WBTW	13	Florence, S.C.
	WIS	10	Columbia, S.C.
Georgetown	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Greenville	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Greenwood	WFBC	4	Do.
	WSPA	7	Do.
	WLOS	13	Do.
	WJBF	6	Augusta.
Hampton	WJBF	6	Do.
	WRDW	12	Do.
	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.

County	Call letters and channel numbers		Market name
SOUTH CAROLINA—Continued			
Hampton	WSAV	3	Savannah.
	WTOC	11	Do.
Horry	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
	WCSC	5	Charleston, S.C.
	WBTW	13	Florence, S.C.
Jasper	WSAV	3	Savannah.
	WTOC	11	Do.
	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Kershaw	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WOLO	25	Do.
	WBTW	13	Florence, S.C.
Lancaster	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WIS	10	Columbia, S.C.
Laurens	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Lee	WIS	10	Columbia, S.C.
	WBTW	13	Florence, S.C.
Lexington	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WOLO	25	Do.
McCormick	WJBF	6	Augusta.
	WRDW	12	Do.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
Marion	WBTW	13	Florence, S.C.
	WIS	10	Columbia, S.C.
	WWAY	3	Wilmington, N.C.
	WECT	6	Do.
Marlboro	WBTW	13	Florence, S.C.
	WIS	10	Columbia, S.C.
	WECT	6	Wilmington, N.C.
Newberry	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WJBF	6	Augusta.
	WIS	10	Columbia, S.C.
Oconee	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Orangeburg	WIS	10	Columbia, S.C.
	WJBF	6	Augusta.
	WRDW	12	Do.
	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
Pickens	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
Richland	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WOLO	25	Do.
Saluda	WJBF	6	Augusta.
	WRDW	12	Do.
	WIS	10	Columbia, S.C.
	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
Spartanburg	WFBC	4	Do.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
Sumter	WIS	10	Columbia, S.C.
	WNOK	19	Do.
	WOLO	25	Do.
	WBTW	13	Florence, S.C.
Union	WFBC	4	Greenville-Spartanburg-Asheville.
	WSPA	7	Do.
	WLOS	13	Do.
	WBTV	3	Charlotte.
Williamsburg	WUSN	2	Charleston, S.C.
	WCIV	4	Do.
	WCSC	5	Do.
	WIS	10	Columbia, S.C.
	WBTW	13	Florence, S.C.
York *	WBTV	3	Charlotte.
	WSOC	9	Do.
	WCCB	18	Do.
	WRET	36	Do.
	WSPA	7	Greenville-Spartanburg-Asheville.
SOUTH DAKOTA			
Aurora	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Beadle	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Bennett	KOTA	3	Rapid City.
	KDUH	4	Do.
Bon Homme	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Brookings	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Brown	KELO+	11	Do.
	KSOO+	13	Do.
Brule	KORN	5	Do.
	KELO+	11	Do.
Buffalo	KORN	5	Do.
	KELO+	11	Do.
Butte	KOTA+	3	Rapid City.
	KRSD+	7	Do.
Campbell	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Charles Mix	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Clark	KELO+	11	Do.
	KSOO+	13	Do.
Clay	KTIV	4	Sioux City
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Codington	KELO+	11	Do.
	KSOO+	13	Do.
Corson	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
Custer	KOTA+	3	Rapid City.
	KRSD+	7	Do.
Davison	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Day	KELO+	11	Do.
	KSOO+	13	Do.
Deuel	KELO+	11	Do.
	KSOO+	13	Do.

County	Call letters and channel numbers		Market name
SOUTH DAKOTA—Continued			
Dewey	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
	KELO	11	Sioux Falls-Mitchell.
Douglas	KORN	5	Do.
	KELO+	11	Do.
Edmunds	KELO+	11	Do.
	KSOO+	13	Do.
Fall River	KOTA+	3	Rapid City.
	KDUH	4	Do.
	KSTF	10	Cheyenne.
Faulk	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Grant*	KELO+	11	Do.
	KCMT	7	Alexandria, Minn.
Gregory	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
Haakon	KOTA+	3	Rapid City.
	KELO+	11	Sioux Falls-Mitchell.
Hamlin	KELO+	11	Do.
	KSOO+	13	Do.
Hand	KELO+	11	Do.
	KSOO+	13	Do.
Hanson	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Harding	KOTA+	3	Rapid City.
Hughes	KELO+	11	SiouxFalls-Mitchell.
Hutchinson	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Hyde	KELO+	11	Do.
	KSOO+	13	Do.
Jackson	KOTA+	3	Rapid City.
	KELO+	11	Sioux Falls-Mitchell.
Jerauld	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Jones	KELO+	11	Do.
Kingsbury	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Lake	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Lawrence	KOTA+	3	Rapid City.
	KRSD+	7	Do.
Lincoln	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Lyman	KELO+	11	Sioux Falls-Mitchell.
McCook	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
McPherson	KELO+	11	Do.
	KSOO+	13	Do.
	KFYR	5	Minot-Bismarck.
Marshall	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	KXJB	4	Fargo.
Meade*	KOTA+	3	Rapid City.
	KRSD+	7	Do.
Mellette	KELO+	11	Sioux Falls-Mitchell.
Miner	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
Minnehaha	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
	KCAU	9	Sioux City.
Moody	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Pennington	KOTA+	3	Rapid City.
	KRSD+	7	Do.
Perkins	KFYR	5	Minot-Bismarck.
	KDIX	2	Dickinson, N. Dak.
	KOTA+	3	Rapid City.
Potter	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	KFYR	5	Minot-Bismarck.
Roberts	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
	WDAY	6	Fargo.
Sanborn	KORN	5	Sioux Falls-Mitchell.
	KELO+	11	Do.
	KSOO+	13	Do.
Shannon	KOTA+	3	Rapid City.
	KDUH	4	Do.
	KRSD+	7	Do.
Spink	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Stanley *	KELO+	11	Do.
Sully	KELO+	11	Do.
Todd	KELO+	11	Do.
Tripp	KORN	5	Do.
	KELO+	11	Do.
Turner	KORN	5	Do.
	KELO+	11	Do.
	KSOO+	13	Do.
	KTIV	4	Sioux City.
	KCAU	9	Do.
Union	KTIV	4	Do.
	KCAU	9	Do.
	KMEG	14	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Walworth	KFYR	5	Minot-Bismarck.
	KXMB	12	Do.
	KELO+	11	Sioux Falls-Mitchell.
Washabaugh	KOTA+	3	Rapid City.
	KELO+	11	Sioux Falls-Mitchell.
Yankton	KTIV	4	Sioux City.
	KCAU	9	Do.
	KELO+	11	Sioux Falls-Mitchell.
	KSOO+	13	Do.
Ziebach	KOTA+	3	Rapid City.
TENNESSEE			
Anderson	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
Bedford	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Benton	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Bledsoe	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Blount	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
Bradley	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Campbell	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.

County	Call letters and channel numbers		Market name
TENNESSEE—Continued			
Cannon	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Carroll	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
	WBBJ	7	Jackson, Tenn.
	WREC	3	Memphis.
	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
Carter	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WKPT	19	Do.
Cheatham	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Chester	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.
Claiborne	WATE	6	Knoxville.
	WBIR	10	Do.
Clay	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Cocke	WATE	6	Knoxville.
	WBIR	10	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.
Coffee	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Crockett	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.
Cumberland	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVC	9	Chattanooga.
Davidson	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Decatur	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
	WBBJ	7	Jackson, Tenn.
De Kalb	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Dickson	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Dyer	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.
	KFVS	12	Paducah-Cape Girardeau-Harrisburg.
Fayette	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Fentress	WATE	6	Knoxville.
	WBIR	10	Do.
Franklin	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
	WTVC	9	Chattanooga.
	WDEF	12	Do.
Gibson	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.

County	Call letters and channel numbers		Market name
TENNESSEE—Continued			
Giles	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Grainger	WATE	6	Knoxville.
	WBIR	10	Do.
Greene	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.
	WATE	6	Knoxville.
	WBIR	10	Do.
Grundy	WRCB	3	Cattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Hamblen	WATE	6	Knoxville.
	WBIR	10	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
	WLOS	13	Greenville-Spartanburg-Asheville.
Hamilton	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Hancock	WATE	6	Knoxville.
	WBIR	10	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
Hardeman	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Hardin	WBBJ	7	Jackson, Tenn.
	WREC	3	Memphis.
	WMC	5	Do.
Hawkins	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.
	WATE	6	Knoxville.
	WBIR	10	Do.
Haywood	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.
Henderson	WBBJ	7	Do.
	WREC	3	Memphis.
	WMC	5	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
Henry	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
Hickman	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Houston	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Humphreys	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Jackson	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Jefferson	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
	WLOS	13	Greenville-Spartanburg-Asheville.

County	Call letters and channel numbers		Market name
	TENNESSEE—Continued		
Johnson	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Knox	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
Lake	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Lauderdale	WREC	3	Do.
	WMC	5	Do.
	WHBQ	13	Do.
Lawrence	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
Lewis	WSM	4	Nashville
	WLAC	5	Do.
	WSIX	8	Do.
Lincoln	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Loudon	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
McMinn	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WATE	6	Knoxville.
McNairy	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
	WBBJ	7	Jackson, Tenn.
Macon	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Madison	WBBJ	7	Jackson, Tenn.
	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Marion	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Marshall	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Maury	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Meigs	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Monroe	WATE	6	Knoxville.
	WBIR	10	Do.
	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Montgomery	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Moore	WHNT	19	Huntsville-Decatur-Florence.
	WAAY	31	Do.
	WMSL	48	Do.
	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.

County	Call letters and channel numbers		Market name
	TENNESSEE—Continued		
Morgan	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVC	9	Chattanooga.
Obion	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
	WBBJ	7	Jackson, Tenn.
Overton	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Perry	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Pickett	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Polk	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
	WATL	36	Atlanta.
Putnam	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Rhea	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Roane	WATE	6	Knoxville.
	WBIR	10	Do.
	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Robertson	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Rutherford	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Scott*	WATE	6	Knoxville.
	WBIR	10	Do.
Sequatchie	WRCB	3	Chattanooga.
	WTVC	9	Do.
	WDEF	12	Do.
Sevier	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
Shelby	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Smith	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Stewart	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Sullivan	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WKPT	19	Do.
Sumner	WSM	4	Nashville.
	WLAC	9	Do.
	WSIX	8	Do.
Tipton	WREC	3	Memphis.
	WMC	5	Do.
	WHBQ	13	Do.
Trousdale	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Unicoi	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Union	WATE	6	Knoxville.
	WBIR	10	Do.
	WTVK	26	Do.
Van Buren	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.

County	Call letters and channel numbers		Market name
TENNESSEE—Continued			
Van Buren	WRCB	3	Chattanooga.
	WDEF	12	Do.
Warren	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Washington	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WKPT	19	Do.
Wayne	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Weakley	WPSD	6	Paducah-Cape Girardeau-Harrisburg.
	KFVS	12	Do.
	WBBJ	7	Jackson, Tenn.
White	WSM	4	Nashville.
	WLAC	5	Do.
	WSIX	8	Do.
Williamson	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
Wilson	WSM	4	Do.
	WLAC	5	Do.
	WSIX	8	Do.
TEXAS			
Anderson	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KLTV	7	Tyler.
Andrews	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Angelina	KTRE	9	Tyler.
Aransas	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Archer	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Armstrong	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Atascosa	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Austin	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Bailey	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KFDA+	10	Amarillo.
Bandera	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Bastrop	KTBC	7	Austin, Tex.
	KHFI	42	Do.
	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Baylor	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Bee	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.

County	Call letters and channel numbers		Market name
TEXAS—Continued			
Bee	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Bell	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KTBC	7	Austin, Tex.
Bexar	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KWEX	41	Do.
Blanco	WOAI	4	Do.
	KENS	5	Do.
	KSAT	12	Do.
	KTBC	7	Austin, Tex.
	KHFI	42	Do.
Borden	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Bosque	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Bowie	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Brazoria	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Brazos	KBTX	3	Waco-Temple.
	KCEN	6	Do.
	KTVT	11	Dallas-Fort Worth.
Brewster	N.A.		
Briscoe	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Brooks	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Brown	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
	KTVT	11	Dallas-Fort Worth.
Burleson	KBTX	3	Waco-Temple.
	KCEN	6	Do.
	KTBC	7	Austin, Tex.
Burnet	KTBC	7	Do.
	KHFI	42	Do.
	KWTX	10	Waco-Temple.
Caldwell	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KTBC	7	Austin, Tex.
	KHFI	42	Do.
Calhoun	N.A.		
Callahan	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Cameron	KGBT	4	McAllen-Brownsville.
	KRGV	5	Do.
Camp	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KLTV	7	Tyler.
Carson	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Cass	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Castro	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
	KLBK	13	Lubbock.
Chambers	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
Cherokee	KLTV	7	Tyler.
	KTRE	9	Do.
	KTBS	3	Shreveport-Texarkana.
Childress	N.A.		
Clay	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Cochran	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Coke	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
	KCTV	8	San Angelo.
Coleman	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Collin	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Collingsworth	KVII	7	Amarillo.
	KFDA+	10	Do.
	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Colorado	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
Comal	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Comanche	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KRBC+	9	Abilene-Sweetwater.
Concho			Over 90 percent cable penetration.
Cooke	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Coryell	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KTBC	7	Austin, Tex.
	KTVT	11	Dallas-Fort Worth.
Cottle			Over 90 percent cable penetration.
Crane	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Crockett	N.A.		
Crosby	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Culberson	N.A.		
Dallam	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Dallas	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Dawson	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
	KMXN	34	Do.
	KMID	2	Odessa-Midland.
Deaf Smith	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Delta	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Denton	KDFW	4	Do.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
De Witt	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Dickens	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
	KTXS	12	Abilene-Sweetwater.
Dimmit	N.A.		
Donley	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Duval	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Eastland	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Ector*	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Edwards	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Ellis	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
El Paso	KROD	4	El Paso.
	KTSM	9	Do.
	KELP+	13	Do.
Erath	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Falls	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Fannin	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KXII	12	Ardmore-Ada.
Fayette*	KTBC	7	Austin, Tex.
	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KENS	5	San Antonio.
	KSAT	12	Do.
Fisher*	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Floyd	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Foard	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Fort Bend	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Franklin	N.A.		
Freestone	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Frio	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Gaines	KCBD+	11	Lubbock.
	KLBK	13	Do.
	WFAA	8	Dallas-Fort Worth.
	KTVT	11	Do.
	KDTV	39	Do.
Galveston	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Garza*	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Gillespie	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KTBC	7	Austin, Tex.
Glasscock	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Goliad	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Gonzales	WOAI	4	Do.
	KENS	5	Do.
	KSAT	12	Do.
Gray	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Grayson	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KXII	12	Ardmore-Ada.
Gregg	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KLTV	7	Tyler.
Grimes*	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KBTX	3	Waco-Temple.
Guadalupe	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Hale*	KCBD	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Hall			Over 90 percent cable penetration.
Hamilton	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Hansford	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Hardeman	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Hardin	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
Harris	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Harrison	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Hartley	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Haskell	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
	KFDX	3	Wichita Falls-Lawton
Hays	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KTBC	7	Austin, Tex.
Hemphill			Over 90 percent cable penetration.
Henderson	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KLTV	7	Tyler.
Hidalgo	KGBT	4	McAllen-Brownsville (Lower Rio Grande).
	KRGV	5	Do.
Hill	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KWTX	10	Waco-Temple.
Hockley*	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Hood	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Hopkins	KDFW	4	Do.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KLTV	7	Tyler.
Houston	KTRE	9	Lufkin-Nacogdoches.
	KBTX	3	Waco-Temple.
Howard	KMID	2	Odessa-Midland.
	KWAB	4	Do.
	KOSA	7	Do.
	KMOM+	9	Do.
Hudspeth	KROD	4	El Paso.
	KTSM	9	Do.
	KELP+	13	Do.
Hunt	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Hutchinson	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Irion	KCTV	8	San Angelo.
	KRBC+	9	Abilene-Sweetwater.

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Jack	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Jackson	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Jasper	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
Jeff Davis	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Jefferson	KJAC	4	Beaumont-Port Arthur.
North	KFDM	6	Do.
	KBMT	12	Do.
Jefferson	KJAC	4	Do.
South	KFDM	6	Do.
	KBMT	12	Do.
Jim Hogg	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Jim Wells	KIII+	3	Do.
	KRIS	6	Do.
	KZTV	10	Do.
Johnson	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Jones	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Karnes	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Kaufman	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Kendall	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Kenedy	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Kent	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
	KTXS	12	Abilene-Sweetwater.
Kerr	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Kimble	WOAI	4	Do.
	KENS	5	Do.
	KSAT	12	Do.
King	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
	KTXS	12	Abilene-Sweetwater.
Kinney			Over 90 percent cable penetration.
Kleberg	KIII	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.

County	Call letters and channel numbers		Market name
	TEXAS—Continued		
Knox	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
	KTXS	12	Abilene-Sweetwater.
Lamar	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KXII	12	Ardmore-Ada.
Lamb	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Lampasas	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KTBC	7	Austin, Tex.
La Salle	N.A.		
Lavaca	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KPRC	2	Houston.
Lee	KTBC	7	Austin, Tex.
	KHFI	42	Do.
	KBTX	3	Waco-Temple.
	KCEN	6	Do.
Leon	KBTX	3	Do.
	KCEN	6	Do.
	KWTX	10	Do.
Liberty	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Limestone	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Lipscomb	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Live Oak	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Llano	KTBC	7	Austin, Tex.
	KHFI	42	Do.
Loving	KOSA	7	Odessa-Midland.
	KMOM+	9	Do.
Lubbock	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Lynn	KCBD+	11	Do.
	KLBK	13	Do.
	KSEL	28	Do.
	KMXN	34	Do.
McCulloch			Over 90 percent cable penetration.
McLennan	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KDFW	4	Dallas-Fort Worth.
	WFAA	8	Do.
	KTVT	11	Do.
McMullen	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Madison	KBTX	3	Waco-Temple.
	KPRC	2	Houston.
Marion	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Martin	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.

County	Call letters and channel numbers		Market name
TEXAS—Continued			
Mason	N.A.	---	
Matagorda	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Maverick			Over 90 percent cable penetration.
Medina	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Menard	KRBC+	9	Abilene-Sweetwater.
	KCTV	8	San Angelo.
Midland	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Milam	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KTBC	7	Austin, Tex.
Mills	KCEN	6	Waco-Temple.
	KWTX	10	Do.
	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Mitchell	KMID	2	Odessa-Midland.
	KMOM	9	Do.
	KTXS	12	Abilene-Sweetwater.
Montague	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Montgomery	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Moore	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Morris	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Motley			Over 90 percent cable penetration.
Nacogdoches	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
	KTVT	11	Dallas-Fort Worth.
	KTRE	9	Tyler.
Navarro	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Newton	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
Nolan	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Nueces	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Ochiltree	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Oldham	KGNC	4	Do.
	KVII	7	Do.
	KFDA+	10	Do.
Orange	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.

County	Call letters and channel numbers		Market name
TEXAS—Continued			
Palo Pinto	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Panola	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Parker	KDFW	4	Dallas-Fort Worth
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Parmer	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
	KCBD+	11	Lubbock.
Pecos	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Polk	KTRE	9	Tyler.
	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KPRC	2	Houston.
Potter	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Presidio	KOSA	7	Odessa-Midland.
Rains	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Randall	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Reagan	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM	9	Do.
Real	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Red River	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Reeves	KOSA	7	Odessa-Midland.
	KMOM+	9	Do.
Refugio	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
Roberts	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Robertson*	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Rockwall	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Runnels	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
	KCTV	8	San Angelo.
Rusk	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KLTV	7	Tyler.
Sabine	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
	KTRE	9	Tyler.

County	Call letters and channel numbers		Market name
TEXAS—Continued			
San Augustine	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
	KTRE	9	Tyler.
San Jacinto	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
San Patricio	KIII+	3	Corpus Christi.
	KRIS	6	Do.
	KZTV	10	Do.
San Saba	KDFW	4	Dallas-Fort Worth.
	KRBC+	9	Abilene-Sweetwater.
	KTBC	7	Austin, Tex.
	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Schleicher	KCTV	8	San Angelo.
	KRBC+	9	Abilene-Sweetwater.
Scurry	KRBC+	9	Do.
	KTXS	12	Do.
Shackelford	KRBC+	9	Do.
	KTXS	12	Do.
Shelby	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Sherman	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Smith	KLTV	7	Tyler.
	KDFW	4	Dallas-Fort Worth.
	KTVT	11	Do.
	KTBS	3	Shreveport-Texarkana.
	KSLA	12	Do.
Somervell	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
Starr	KGBT	4	McAllen-Brownsville (Lower Rio Grande).
	KRGV	5	Do.
Stephens	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
	WFAA	8	Dallas-Fort Worth.
	KTVT	11	Do.
Sterling	KRBC+	9	Abilene-Sweetwater.
	KCTV	8	San Angelo.
Stonewall	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Sutton	N.A.		
Swisher	KGNC	4	Amarillo.
	KVII	7	Do.
	KFDA+	10	Do.
Tarrant	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Taylor	KRBC+	9	Abilene-Sweetwater.
	KTXS	12	Do.
Terrell			Over 90 percent cable penetration.
Terry*	KCBD+	11	Lubbock.
	KLBK	13	Do.
	KSEL	28	Do.
Throckmorton	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Titus	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
Tom Green	KCTV	8	San Angelo.
	KRBC+	9	Abilene-Sweetwater.
Travis	KTBC	7	Austin, Tex.
	KHFI	42	Do.
Trinity	KRTE	9	Tyler.
	KPRC	2	Houston.
	KBTX	3	Waco-Temple.
Tyler	KJAC	4	Beaumont-Port Arthur.
	KFDM	6	Do.
	KBMT	12	Do.
Upshur	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KLTV	7	Tyler.
Upton	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Uvalde	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
Val Verde	N.A.		
Van Zandt	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KLTV	7	Tyler.
Victoria	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KIII+	3	Corpus Christi.
Walker	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
	KBTX	3	Waco-Temple.
Waller	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Ward	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM+	9	Do.
Washington	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
	KBTX	3	Waco-Temple.
Webb	KGNS	8	Laredo.
	XEFE	2	Mexico.
Wharton	KPRC	2	Houston.
	KHOU	11	Do.
	KTRK	13	Do.
	KHTV	39	Do.
Wheeler	KFDA+	10	Amarillo.
Wichita	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Wilbarger	KFDX	3	Do.
	KAUZ	6	Do.
	KSWO	7	Do.
Willacy	KGBT	4	McAllen-Brownsville (Lower Rio Grande).
	KRGV	5	Do.
Williamson	KTBC	7	Austin, Tex.
	KHFI	42	Do.
	KCEN	6	Waco-Temple.
	KWTX	10	Do.
Wilson	WOAI	4	San Antonio.
	KENS	5	Do.
	KSAT	12	Do.
	KWEX	41	Do.

County	Call letters	and channel numbers	Market name
TEXAS—Continued			
Winkler	KMID	2	Odessa-Midland.
	KOSA	7	Do.
	KMOM*	9	Do.
Wise	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KDTV	39	Do.
Wood	KTBS	3	Shreveport-Texarkana.
	KTAL	6	Do.
	KSLA	12	Do.
	KDFW	4	Dallas-Fort Worth.
	WBAP	5	Do.
	WFAA	8	Do.
	KTVT	11	Do.
	KLTV	7	Tyler.
Yoakum	KCBD*	11	Lubbock.
	KLBK	13	Do.
	KBIM	10	Roswell.
Young	KFDX	3	Wichita Falls-Lawton.
	KAUZ	6	Do.
	KSWO	7	Do.
Zapata	KGNS	8	Laredo.
	KGBT	4	McAllen-Brownsville (Lower Rio Grande).
	XEFB	3	Mexico.
Zavala	WOAI	4	San Antonio.
	KENS	5	Do.

Census county divisions in split counties:
Jefferson North: Beaumont, Nome-China.
Jefferson South: All other.

County	Call letters	and channel numbers	Market name
UTAH			
Beaver	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Box Elder	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Cache	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Carbon	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Daggett	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Davis	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Duchesne	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Emery	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Garfield	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Grand	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Iron	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Juab	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.

County	Call letters	and channel numbers	Market name
UTAH—Continued			
Kane	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Millard	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Morgan	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Piute	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Rich	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Salt Lake	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
San Juan	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Sanpete	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Sevier	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Summit	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Tooele	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Uintah	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Utah	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Wasatch	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
Washington	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.
	KORK	3	Las Vegas.
Wayne	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Weber	KUTV	2	Do.
	KCPX	4	Do.
	KSL	5	Do.

County	Call letters	and channel numbers	Market name
VERMONT			
Addison*	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
Bennington	WRGB	6	Albany-Schenectady-Troy.
	WTEN*	10	Do.
	WAST	13	Do.
Caledonia	WCAX	3	Burlington-Plattsburgh.
	WMTW	8	Portland-Poland Spring.
Chittenden	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WVNY	22	Do.
	CFCF	12	Canada.
Essex	WCAX	3	Burlington-Plattsburgh.

County	Call letters and channel numbers		Market name
VERMONT—Continued			
Essex	WMTW	8	Portland-Poland Spring.
Franklin	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WVNY	22	Do.
	CBMT	6	Canada.
	CFCF	12	Do.
Grand Isle	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WVNY	22	Do.
	CBMT	6	Canada.
	CFCF	12	Do.
Lamoille	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WVNY	22	Do.
	WMTW	8	Portland-Poland Spring.
	CBMT	6	Canada.
Orange	WCAX	3	Burlington-Plattsburgh.
	WMTW	8	Portland-Poland Spring.
Orleans	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WMTW	8	Portland-Poland Spring.
	CBMT	6	Canada.
	CFCF	12	Do.
Rutland	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WRGB	6	Albany-Schenectady-Troy.
	WTEN*	10	Do.
	WAST	13	Do.
Washington	WCAX	3	Burlington-Plattsburgh.
	WPTZ	5	Do.
	WMTW	8	Portland-Poland Spring.
Windham	WMTW	8	Do.
	WHDH	5	Boston.
Windsor	WCAX	3	Burlington-Plattsburgh.
	WMTW	8	Portland-Poland Spring.
VIRGINIA			
Accomack	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WBOC	16	Salisbury.
	WTTG	5	Washington, D.C.
Albemarle and Charlottesville City.	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WSVA	3	Harrisonburg.
Alleghany and Covington City including Clifton Forge City.	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Amelia	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Amherst	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Appomattox	WDBJ	7	Do.
	WSLS	10	Do.
	WLVA	13	Do.
Arlington and Alexandria City.	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Augusta and Stronton City and Waynesboro City.	WTVR	6	Richmond.
	WWBT	12	Do.
	WSVA	3	Harrisonburg.
	WTTG	5	Washington, D.C.
Bath	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
	WSVA	3	Harrisonburg.
Bedford	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Bland	WHIS	6	Bluefield-Beckley-Oak Hill.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Botetourt	WDBJ	7	Do.
	WSLS	10	Do.
	WLVA	13	Do.
Buchanan	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WCYB	5	Bristol-Kingsport-Johnson City.
Buckingham	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Brunswick	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Campbell and Lynchburg City.	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Caroline	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTTG	5	Washington, D.C.
Carroll	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
	WFMY	2	Greensboro-Winston-Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Charlotte	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
	WTVR	6	Richmond.
Charles City	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Chesterfield and Colonial Heights City.	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Clarke	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
Craig	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.

County	Call letters and channel numbers		Market name
VIRGINIA—Continued			
Culpeper	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
Cumberland	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Dickenson	WCYB	5	Bristol-Kingsport-Johnson City.
Dinwiddie and Petersburg City.	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Essex	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WTTG	5	Washington, D.C.
Fairfax and Fairfax City and Falls Church City.	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Fauquier	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
Floyd	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Fluvanna	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Franklin	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Frederick and Winchester City.*	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
Giles	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Glouster	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WTVR	6	Richmond.
	WXEX	8	Do.
Goochland	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Grayson	WDBJ	7	Roanoke-Lynchburg
	WSLS	10	Do.
	WFMY	2	Greensboro-Winston-Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Greene	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WSVA	3	Harrisonburg.
Greensville	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth Newport News-Hampton.
	WAVY	10	Do.
Halifax	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Hanover	WTVR	6	Richmond
	WXEX	8	Do.
	WWBT	12	Do.
Henrico and Richmond City.	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.

County	Call letters and channel numbers		Market name
VIRGINIA—Continued			
Henry and Martinsville City.	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WFMY	2	Greensboro-Winston-Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
Highland	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WSVA	3	Harrisonburg.
Isle of Wight	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
James City and Williamsburg City.	WTAR	3	Do.
	WAVY	10	Do.
	WVEC	13	Do.
	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
King and Queen.	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WAVY	10	Norfolk-Portsmouth-Newport News-Hampton.
King George	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
King William	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Lancaster	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
Lee	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WATE	6	Knoxville.
	WBIR	10	Do.
Loudoun	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Louisa	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Lunenburg	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Madison	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WSVA	3	Harrisonburg.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
Mathews	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WTVR	6	Richmond.
	WXEX	8	Do.
Mecklenburg	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
	WRAL	5	Raleigh-Durham.
	WTVD	11	Do.

County	Call letters and channel numbers		Market name
	VIRGINIA—Continued		
Mecklenburg	WTVR	6	Richmond.
	WXEX	8	Do.
Middlesex	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	13	Do.
Montgomery and Radford City	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
Nansemond and Suffolk City.	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
	WYAH	27	Do.
Nelson	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
	WTVR	6	Richmond.
	WWBT	12	Do.
New Kent	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
Norfolk and Chesapeake City and Portsmouth City and Norfolk City.	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Northampton	WTAR	3	Do.
	WAVY	10	Do.
	WVEC	13	Do.
Northumberland.	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WTTG	5	Washington, D.C.
Nottoway	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Orange	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
Page	WRC	4	Do.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WSVA	3	Harrisonburg.
	WTVR	6	Richmond.
Patrick	WFMY	2	Greensboro-Winston-Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Pittsylvania and Danville City.	WDBJ	7	Do.
	WSLS	10	Do.
	WLVA	13	Do.
	WFMY	2	Greensboro-Winston-Salem-High Point.
	WGHP	8	Do.
	WSJS	12	Do.

County	Call letters and channel numbers		Market name
	VIRGINIA—Continued		
Powhatan	WTVR	6	Richmond
	WXEX	8	Do.
	WWBT	12	Do.
Prince Edward.	WTVR	6	Do.
	WXEX	8	Do.
	WWBT	12	Do.
	WLVA	13	Roanoke-Lynchburg.
Prince George and Hopewell City.	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
Prince William.	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
Pulaski	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Rappahannock.	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WSVA	3	Harrisonburg.
Richmond	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTTG	5	Washington, D.C.
Roanoke and Roanoke City and Salem City.	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WLVA	13	Do.
	WRFT	27	Do.
Rockbridge	WDBJ	7	Do.
	WSLS	10	Do.
	WLVA	13	Do.
Rockingham and Harrisonburg City.	WSVA	3	Harrisonburg.
	WTVR	6	Richmond.
	WWBT	12	Do.
	WTTG	5	Washington, D.C.
Russell	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Scott	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Shenandoah	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WSVA	3	Harrisonburg.
Smyth	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Southampton	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Spotsylvania and Fredericksburg City.	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WTVR	6	Richmond.
Stafford	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WDCA	20	Do.
	WTVR	6	Richmond.

County	Call letters and channel numbers		Market name
VIRGINIA—Continued			
Surry	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Sussex	WTVR	6	Richmond.
	WXEX	8	Do.
	WWBT	12	Do.
	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
Tazewell	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WDBJ	7	Roanoke-Lynchburg.
Virginia Beach and Virginia Beach City.	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
Warren	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WBAL	11	Do.
	WJZ	13	Do.
	WSVA	3	Harrisonburg.
Washington and Bristol City.*	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
	WKPT	19	Do.
Westmoreland	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WTVR	6	Richmond
	WXEX	8	Do.
Wise	WCYB	5	Bristol-Kingsport-Johnson City.
	WJHL	11	Do.
Wythe	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill
Hampton-Newport News and Hampton City and Newport News City.	WTAR	3	Norfolk-Portsmouth-Newport News-Hampton.
	WAVY	10	Do.
	WVEC	13	Do.
York	WTAR	3	Do.
	WAVY	10	Do.
	WVEC	13	Do.
WASHINGTON			
Adams	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KEPR	19	Yakima.
	KNDU	25	Do.
Asotin	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
	KLEW	3	Yakima.
Benton	KEPR	19	Yakima.
	KNDU	25	Do.
	KVEW	42	Do.
Chelan	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Clallam	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KVOS	12	Bellingham.
	CBUT	2	Canada.
	CHEK	6	Do.
	CHAN	8	Do.
Clark	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Columbia	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Cowlitz	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Douglas	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Ferry	KREM	2	Do.
	KXLY	4	Do.
	KHQ	6	Do.
Franklin	KEPR	19	Yakima.
	KNDU	25	Do.
	KVEW	42	Do.
Garfield	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Grant	KREM	2	Do.
	KXLY	4	Do.
	KHQ	6	Do.
Grays Harbor	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
Island	KOMO	4	Do.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
	KVOS	12	Bellingham.
	CHEK	6	Canada.
Jefferson	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
King	KOMO	4	Do.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
Kitsap	KOMO	4	Do.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
Kittitas	KNDO	23	Yakima.
	KIMA	29	Do.
Klickitat	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Lewis	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Lincoln	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.

County	Call letters and channel numbers		Market name
WASHINGTON—Continued			
Mason	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
Okanogan	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Pacific	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
Pend Oreille	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Pierce	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
San Juan	KOMO	4	Do.
	KING	5	Do.
	KIRO	7	Do.
	KVOS	12	Bellingham.
	CBUT	2	Canada.
	CHEK	6	Do.
	CHAN	8	Do.
Skagit	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
	KVOS	12	Bellingham.
	CHEK	6	Canada.
	CHAN	8	Do.
Skamania	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KGW	8	Do.
	KPTV	12	Do.
Snohomish	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
Spokane	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Stevens	KREM	2	Do.
	KXLY	4	Do.
	KHQ	6	Do.
Thurston	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	KTNT	11	Do.
	KTVW	13	Do.
Wahkiakum	KATU	2	Portland, Oreg.
	KOIN	6	Do.
	KPTV	12	Do.
Walla Walla	KEPR	19	Yakima.
	KNDU	25	Do.
	KVEW	42	Do.
	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Whatcom	KVOS	12	Bellingham.
	KOMO	4	Seattle-Tacoma.
	KING	5	Do.
	KIRO	7	Do.
	CBUT	2	Canada.
	CHEK	6	Do.
	CHAN	8	Do.
Whitman	KREM	2	Spokane.
	KXLY	4	Do.
	KHQ	6	Do.
Yakima	KNDO	23	Yakima.
	KIMA	29	Do.
	KAPP	35	Do.

County	Call letters and channel numbers		Market name
WEST VIRGINIA			
Barbour	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
Berkeley	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
Boone	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Braxton	WSAZ	3	Do.
	WCHS	8	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
	WDTV	5	Clarksburg-Weston.
Brooke	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Cabell	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Calhoun	WSAZ	3	Do.
	WCHS	8	Do.
	WHTN	13	Do.
Clay	WDTV	5	Clarksburg-Weston.
	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
Doddridge*	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
Fayette	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Gilmer	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
	WSAZ	3	Charleston-Huntington.
Grant	WSVA	3	Harrisonburg.
	WJAC	6	Johnstown-Altoona.
Greenbrier	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Hampshire	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WSVA	3	Harrisonburg.
	WJAC	6	Johnstown-Altoona.
Hancock	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.

County	Call letters and channel numbers		Market name
WEST VIRGINIA—Continued			
Hardy	WSVA	3	Harrisonburg.
	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WTOP	9	Do.
Harrison	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WTAE	4	Pittsburgh.
Jackson	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Jefferson	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
Kanawha	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Lewis	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
Lincoln	WSAZ	3	Charleston-Huntington.
	WHTN	13	Do.
	WCHS	8	Do.
Logan	WSAZ	3	Do.
	WCHS	8	Do.
	WHTN	13	Do.
Marion	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
Marshall	WTRF	7	Do.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Mason	WSAZ	5	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
McDowell	WSAZ	3	Do.
	WCHS	8	Do.
	WHTN	13	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
Mercer	WOAY	4	Do.
	WHIS	6	Do.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
Mineral			Over 90 percent cable penetration.
Mingo	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Monongalia	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WBOY	12	Clarksburg-Weston.
	WTRF	7	Wheeling-Steubenville.
Monroe	WHIS	6	Bluefield-Beckley-Oak Hill.
	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.

County	Call letters and channel numbers		Market name
WEST VIRGINIA—Continued			
Morgan	WRC	4	Washington, D.C.
	WTTG	5	Do.
	WMAL	7	Do.
	WTOP	9	Do.
	WMAR	2	Baltimore.
	WFBG	10	Johnstown-Altoona.
Nicholas	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
Ohio	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
Pendelton	WSVA	3	Harrisonburg.
Pleasants	WTRF	7	Wheeling-Steubenville.
	WCHS	8	Charleston-Huntington.
	WDTV	5	Clarksburg-Weston.
Pocahontas	WDBJ	7	Roanoke-Lynchburg.
	WSLS	10	Do.
	WHIS	6	Bluefield-Beckley-Oak Hill.
Preston	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WIIC	11	Do.
	WDTV	5	Clarksburg-Weston.
	WTRF	7	Wheeling-Steubenville.
Putnam	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Raleigh	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Randolph	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WCHS	8	Charleston-Huntington.
Ritchie	WSAZ	3	Do.
	WCHS	8	Do.
	WHTN	13	Do.
	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WTRF	7	Wheeling-Stubenville.
Roane	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Summers	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
Taylor	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
Tucker	KDKA	2	Pittsburgh.
	WTAE	4	Do.
	WDTV	5	Clarksburg-Weston.
	WBOY	12	Do.
	WTRF	7	Wheeling Steubenville.
	WSTV	9	Do.
Tyler	WTRF	7	Do.
	WDTV	5	Clarksburg-Weston.

County	Call letters and channel numbers		Market name
WEST VIRGINIA—Continued			
Upshur	WDTV	5	Clarksburg-Weston
	WBOY	12	Do.
Wayne	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Webster	WSAZ	3	Do.
	WOAY	4	Bluefield-Beckley-Oak Hill.
	WDTV	5	Clarksburg-Weston.
Wetzel	WTRF	7	Wheeling-Steubenville.
	WSTV	9	Do.
	KDKA	2	Pittsburgh.
	WTAE	4	Do.
Wirt	WSAZ	3	Charleston-Huntington.
	WCHS	8	Do.
	WHTN	13	Do.
Wood	WSAZ	3	Do.
	WCHS	8	Do.
	WHTN	13	Do.
	WTAP	15	Parkersburg.
Wyoming	WOAY	4	Bluefield-Beckley-Oak Hill.
	WHIS	6	Do.
	WCHS	8	Charleston-Huntington.
WISCONSIN			
Adams	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WISC	3	Madison.
Ashland	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Barron	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	WEAU	13	La Crosse-Eau Claire.
Bayfield	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Brown	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Buffalo	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	KROC	10	Rochester-Mason City-Austin.
Burnett	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
Calumet	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Chippewa	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
Clark	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
Columbia	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Crawford	WKBT	8	La Crosse-Eau Claire.
	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
Dane	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Dodge	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Door	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Douglas	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Dunn	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Eau Claire	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
Florence	WLUC	6	Marquette.
	WFRV+	5	Green Bay.
	WAEO	12	Wausau-Rhinelander.
Fond Du Lac	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	KFIZ	34	Fond Du Lac.
	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
Forest	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
Grant	WMT	2	Cedar Rapids-Waterloo.
	KWWL	7	Do.
	KCRG	9	Do.
	WISC	3	Madison.
Green	WISC	3	Do.
	WMTV	15	Do.
	WKOW	27	Do.
	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
Green Lake	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Iowa	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Iron	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.

County	Call letters and channel numbers		Market name
WISCONSIN—Continued			
Jackson	WKBT	8	La Grosse- Eau Claire.
	WEAU	13	Do.
Jefferson	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Juneau	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WISC	3	Madison.
	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
Kenosha	WBBM	2	Chicago.
	WMAQ	5	Do.
	WLS	7	Do.
	WGN	9	Do.
	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
Kewaunee	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
La Crosse	WKPT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WXOW	19	Do.
Lafayette	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Langlade	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Lincoln	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
Manitowoc	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Marathon	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
	WEAU	13	La Crosse-Eau Claire.
Marinette	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Marquette	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Menominee	WBAY	2	Do.
	WFRV+	5	Do.
	WLUK	11	Do.
Milwaukee	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WVTV	18	Do.
Monroe	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
Oconto	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Oneida	WSAU	7	Wausau-Rhine-lander.
	WAOW	9	Do.
	WAEO	12	Do.

County	Call letters and channel numbers		Market name
WISCONSIN—Continued			
Outagamie	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Ozaukee	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WVTV	18	Do.
Pepin*	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
Pierce	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Polk	WCCO	4	Do.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Portage	WSAU	7	Wausau-Rhine-lander.
	WAOW	9	Do.
	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Price	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
	WEAU	13	La Crosse-Eau Claire.
Racine	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WVTV	18	Do.
	WLS	7	Chicago.
	WGN	9	Do.
Richland	WISC	3	Madison.
	WKBT	8	La Crosse-Eau Claire.
Rock	WREX	13	Rockford.
	WTVO	17	Do.
	WCEE	23	Do.
	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Rusk	WKBT	8	La Crosse-Eau Claire.
	WEAU	13	Do.
	WSAU	7	Wausau-Rhinelander.
St. Croix	WCCO	4	Minneapolis-St. Paul.
	KSTP	5	Do.
	KMSP	9	Do.
	WTCN	11	Do.
Sauk	WISC	3	Madison.
	WMTV	15	Do.
	WKOW	27	Do.
Sawyer	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Shawano	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WSAU	7	Wausau-Rhinelander.
Sheboygan	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
Taylor	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WEAU	13	La Crosse-Eau Claire.
Trempealeau	WKBT	8	Do.
	WEAU	13	Do.
Vernon	WKBT	8	Do.
	WEAU	13	Do.
	KROC	10	Rochester-Mason City-Austin.

County	Call letters and channel numbers		Market name
WISCONSIN—Continued			
Vilas	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WAEO	12	Do.
Walworth	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WBBM	2	Chicago.
	WGN	9	Do.
	WISC	3	Madison.
	WREX	13	Rockford.
Washburn	KDAL	3	Duluth-Superior.
	WDSM	6	Do.
	WDIO+	10	Do.
Washington	WTMJ	4	Milwaukee.
	WITI	6	Do.
	WISN	12	Do.
	WVTV	18	Do.
Waukesha	WTMJ	4	Do.
	WITI	6	Do.
	WISN	12	Do.
	WVTV	18	Do.
Waupaca	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WSAU	7	Wausau-Rhinelander.
Waushara	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	WSAU	7	Wausau-Rhinelander.
Winnebago	WBAY	2	Green Bay.
	WFRV+	5	Do.
	WLUK	11	Do.
	KFIZ	34	Fond Du Lac.
Wood	WSAU	7	Wausau-Rhinelander.
	WAOW	9	Do.
	WEAU	13	La Crosse-Eau Claire.
WYOMING			
Albany	KOA	4	Denver.
	KLZ	7	Do.
	KBTV	9	Do.
	KFBC	5	Cheyenne.
Big Horn	KOOK	2	Billings.
	KULR	8	Do.
	KWRB	10	Casper-Riverton.
Campbell			Over 90 percent cable penetration.
Carbon	KTWO	2	Casper-Riverton.
	KFBC	5	Cheyenne.
Converse	KTWO	2	Casper-Riverton.
	KSTF	10	Cheyenne.
Crook	KOTA+	3	Rapid City.
	KTWO	2	Casper-Riverton.
Fremont	KTWO	2	Do.
	KWRB	10	Do.
Goshen	KSTF	10	Cheyenne.
	KDUH	4	Rapid City.
Hot Springs	KTWO	2	Casper-Riverton.
	KWRB	10	Do.
Johnson	KTWO	2	Do.
Laramie	KFBC	5	Cheyenne.
	KWGN	2	Denver.
	KOA	4	Do.
	KLZ	7	Do.
	KBTV	9	Do.
Lincoln	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
	KCPX	4	Salt Lake City.
	KSL	5	Do.
Natrona	KTWO	2	Casper-Riverton.
Niobrara	KTWO	2	Do.
	KFBC	5	Cheyenne.
Park	KOOK	2	Billings.
	KULR	8	Do.
Platte	KFBC	5	Cheyenne.
	KSTF	10	Do.
	KTWO	2	Casper-Riverton.
Sheridan	KOOK	2	Billings.
	KULR	8	Do.
	KTWO	2	Casper-Riverton.
	KOTA+	3	Rapid City.
Sublette	KTWO	2	Casper-Riverton.
	KID	3	Idaho Falls-Pocatello.
Sweetwater			Over 90 percent cable penetration.
Teton	KID	3	Idaho Falls-Pocatello.
	KIFI	8	Do.
Uinta	KUTV	2	Salt Lake City.
	KCPX	4	Do.
	KSL	5	Do.
Washakie	KTWO	2	Casper-Riverton.
	KWRB	10	Do.
	KCPX	4	Salt Lake City.
	KSL	5	Do.
Weston	KTWO	2	Casper-Riverton.
	KOTA+	3	Rapid City.
Yellowstone National Park	KID	3	Idaho Falls-Pocatello.
	KULR	8	Billings.

APPENDIX C

Paragraphs 5–8 of Memorandum Opinion and Order denying "Motion For Stay Pending Appeal" of Nevada Independent Broadcasting Corporation, Henderson, Nevada. 34 FCC 2d 165 (1972)

A detailed history of the proceedings leading to the promulgation of the rules is set forth in the *Report and Order* and will not be repeated here. See 37 Fed. Reg. at 3252–62. Suffice it to say that there were several sets of proposed rules offered in the years preceding adoption. These evolved into a Letter of Intent that was sent to Congress in August 1971 (31 F.C.C. 2d 115) that outlined the proposed final shape of the rules. The Letter, in turn, was tempered in some respects by a consensus agreement entered into by principal industry groups before the rules were finally adopted and released in February 1972. What ultimately emerged in terms of specific rules was admittedly different from what was initially proposed. But such is the nature of the rulemaking proceedings. The APA does not demand that the rules, as finally articulated, be identical to those

first proposed. What the APA demands is that the notice of proposed rulemaking include "the terms or substance of the proposed rule or a description of the subjects and issues involved," (5 U.S.C. 553(b)(3)) and that "the agency shall give interested persons an opportunity to participate in the rulemaking through submission of written data, views, or arguments with or without opportunity for oral presentation." (5 U.S.C. 555(c)). It is unquestionable that few administrative proceedings have been so open or so subject to written comment and oral presentation. More than 700 separate substantive comments were received in the six dockets comprising this rulemaking, 175 persons appeared before the Commission in oral argument, and scores of persons participated in panel discussions on various aspects and issues pertaining to the rules. Every conceivable point of view, both public and private, was represented.

The public was given ample notice of the "subjects and issues involved" in the rulemaking. Petitioner argues that the Commission's Letter of Intent "was specific enough for the purposes of rulemaking but it was not used for that purpose (because) (n)o comments on the proposals were invited," and that the final rules contain a copyright exclusivity provision that is "novel and previously undiscussed." But an examination of the *subjects and issues* (rather than the precise rules) and their genesis demonstrates that the dictates of the APA have been honored.

Part 76 of the rules, challenged by petitioner, regulates (a) the signals that may be carried by cable systems, depending on the size of the television market in which the system is located and the nature and source of the television signal to be carried, (b) program exclusivity and non-duplication protection to be granted to certain broadcasters, depending on location of the broadcaster and cable system and the exclusivity contracts involved, and (c) cablecasting, public access, and minimum channel requirements, depending on the size of the television market in which the cable system is located.

The rules respond basically to three broad issues: What is the permissible degree of cable penetration in each of the various size television markets, what safeguards are necessary to ensure the healthy maintenance of broadcast television, and to what degree should a cable system operate as an outlet for local community expression? Each of the above issues, as stated, was discussed at length in the rulemaking proceedings. The enunciation of these issues gave reasonable notice that the Commission was contemplating the adoption of rules addressed to these issues that might involve carriage requirements and restrictions, exclusivity and non-duplication protection as a means of implementing the desired safeguards, and minimum technical requirements. Being aware of these issues, interested parties had the opportunity to comment on them freely and to offer their own solutions, proposals and counterproposals. Indeed, it was some of these suggestions that eventually found acceptance in the rules. The Commission was under no obligation, however, to put out a new notice of proposed rulemaking each time it received a proposal from one of the participants that the Commission found convincing. Having received comments from all quarters on all subject areas, and thereby being as fully informed as practical, the law leaves to Commission discretion the structuring of the final rules. See, e.g., *Owensboro on the Air, Inc.* v. *United States*, 262 F. 2d 702 (D.C. Cir. 1958), *cert. denied*, 360 U.S. 911; *Buckeye Cablevision, Inc.* v. *F.C.C.*, 387 F. 2d 220 (D.C. Cir. 1967); *Mt. Mansfield Television Inc.* v. *F.C.C.*, 442 F. 2d 470 (2nd Cir. 1971).

Dissenting Statement of Commissioner Robert E. Lee

A paragraph-by-paragraph discussion of portions of the Opinion and Order on Reconsideration follows. Two overall observations are in order.

First, my initial views on the Cablevision Report and Order and cable rules as expressed in my earlier Dissenting Statement released February 2, 1972, are to the most part applicable to the Memorandum Opinion and Order.

Second, the opinion would, with the exception of same-day network program exclusivity in the Rocky Mountain Time Zone, reject every requested measure to relieve the impact of CATV on smaller markets.

COPYRIGHT

A continuing chicken-or-the-egg controversy has revolved around copyright and FCC rules. CATV interests want the rules to go into effect immediately, presumably so that this will strengthen their bargaining position in the copyright matter. Broadcasters want the effective date of the rules delayed at least until there is an agreement on proposed copyright legislation, if not actual implementation of that legislation, on the theory that this would increase their bargaining power. The opinion takes the CATV side of the controversy. A middle course, however, would serve the overall objective and be more fair.

That middle course would be to point out that no new CATV service can commence once the rules become effective on March 31 until 30 days after the CATV application for a certificate of compliance has been placed on public notice. Before beginning the process of granting such certificates, the Commission will accordingly review the copyright situation and if progress has not been made on hammering out an agreement on suggested legislation, the Commission will proceed slowly or not at all in issuing certificates.

ETV STATIONS

The National Association of Educational Broadcasters asserts that carriage of overlapping Grade B ETV signals would damage local ETV service in many communities. The opinion says this is incorrect and that, in any event, local ETV's are free to object to the carriage of ETV stations.

But it seems to me unfair to deal differently with the ETV than with commercial broadcasters. We do not allow overlapping Grade B commercial signals in the top 100 markets. Why should we do so in the case of ETV? A local ETV operation can certainly be just as adversely affected by the importation of such Grade B signals. Certainly it is no answer to say the ETV can object. So could the commercial broadcasters. Indeed, he can better afford the not insignificant legal expenses involved in the objection process. The reason why the objection route is specified is because ETV is unlikely to have the resources to pursue it.

SUBSTITUTION OF OTHER DISTANT SIGNAL PROGRAMMING AND DELETION OF LOCAL PROGRAMS

The opinion recites the fact that the consensus calls for distant signals to be restricted to specific distant stations except during exclusivity periods. Yet two provisions in the new rules are inconsistent with this. The first allows the substitution of a program of any length. If a half-hour show is blocked out, the system can go to a two-hour movie. Further, when the system completes its substitute showing and returns to the regular station, it still need not carry that station if it is in the

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middle of some show. What this means is that the system can manipulate the situation so as to largely avoid carrying the regular signal.

The solution is, of course, to require the substitution of a program of the same duration as the blocked-out one. No showing has been made that this is not feasible and it is the only way to maintain the policy the majority purports to adopt.

The second provision permits the CATV to delete a program of primarily local interest on the distant signal. Certainly flexibility in finding substitute programs is not needed when the CATV voluntarily omits a local news or public service program from the regularly carried distant station. Why should the rules permit a CATV to drop a half-hour news program and substitute a two-hour movie? The answer in the opinion is that this will "provide greater diversity to the public." But carriage of the local news program would achieve the same result. Indeed, it would more likely achieve that result since, particularly in markets 51 to 100 where syndicated exclusivity is very limited, substitution of the movie probably does very little to further the diversity goal.

NETWORK STATIONS IN LIEU OF INDEPENDENT STATIONS

The opinion would allow CATVs on a case-by-case basis to carry distant full or partial network stations, subject to exclusivity requirements, in lieu of the allowable distant independents. The question arises as to what happens when this is done and subsequently an independent becomes available through the building of new microwave lines. Certainly in such a case the CATV could not simply add the newly available independent and continue carrying the previously carried network station. For then the CATV would exceed its quota of allowable distant signals. It ought to be made clear at the outset that in such a case when an independent becomes available, it must be substituted for what has previously been carried in lieu of an independent. Significantly, the majority in paragraph 18 hints at some remedial action but hedges it in terms of "may" and then only as to the syndicated programs carried on the mutual station.

LEAPFROGGING

Despite the numerous pleas of smaller market television stations, the opinion refuses to adopt any limitations on leapfrogging beyond the 35-mile zones on the theory that in such areas "the risk of impact on local broadcast service from carriage of distant signals is diminished." The smaller market stations in particular want larger zones to limit the number of signals that can be carried in the area between the 35-mile zone and the true service area of such stations. CATV interests, of course, want no limitations at all. Why not a compromise that does not limit the number of distant signals beyond 35-mile zones but at least stops leapfrogging? Is it rational policy to say that people in a town 36 miles from the station's community of license may receive Los Angeles signals but those in a town 35 miles away must receive closer regional signals? Why should not the same allocation goal govern both towns?

While the opinion recites the statement that waivers of the leapfrogging rule are not contemplated, it goes on to state that "We are not unmindful of the need for relief in unusual circumstances, see Sun Cable, T–V, 27 F.C.C. 2d 261 (1971)." The reference to *Sun Cable* should be deleted. That was a case which went on the rationale of the availability of existing microwave lines—a rationale which would wholly undermine the rule just adopted. The citation to *Storer Broadcasting* is enough.

SYNDICATED PROGRAM EXCLUSIVITY

Requests for syndicated program exclusivity for smaller market stations are denied on the theory that stations in those markets will have very little distant signal importation. This overlooks the several petitions mentioned in Paragraph 49, including that of WHYN–TV, Springfield, Massachusetts, a smaller television market, which shows that at least some smaller markets will receive a great many signals because of the liberal rules on significant viewing.

Syndicated program protection is also rejected for ETV stations, as requested by NAEB, on the grounds that "it does not appear that the absence of . . . exclusivity will have a significant adverse impact on their operations."

Thus discrimination against local ETV stations in the matter of syndicated program exclusivity is retained.

Several procedural suggestions are rejected, including a quite simple one that CATVs simply advise the station as to their intention regarding compliance with exclusivity requests, on the theory that there is no indication such procedures are needed at this time. Similarly, in Paragraph 44 more expansive logging requirements are rejected on the theory that there has been no problem securing compliance with the network exclusivity rules over the past five years. The experience in fact, however, is that there has been a great deal of trouble securing compliance in the past.

SIGNIFICANT VIEWING

Many objections were raised to the implementation of the significant viewing standard. Those discussed in the opinion are all rejected.

One issue which the opinion overlooks entirely is what happens when a CATV comes in with a special survey showing significant viewing for a station not previously carried and an absence of significant viewing for a station previously carried on that basis. This will probably happen with some frequency as the relative popularity of stations changes.

In such a case it is not too much to ask that the CATV either not add the signal now shown to be significantly viewed or that he substitute it for the signal which no longer meets the significant viewing test. Without this either/or approach, the door is left open to continuous adding of signals, few of which meet the significant viewing test at any given point in time.

As to the significant viewing test itself, I have previously made clear that this is a "one-sided" approach that violates common sense and

the law. Will the Commission really refuse to let a broadcaster submit a survey that conclusively shows that a signal does not meet the 2% or 3% criterion in the community, whatever it does in the county? Why? The Commission's reasons all boil down to administrative ease. That is no reason to violate common sense and *Storer*.

GRANDFATHERING

Under the February 2 rules a proposed CATV can obtain grandfather rights to carry signals which the new rules would otherwise prohibit if a notification is given under old Section 74.1105 and there is no timely objection to that notification. A glance at trade press sources indicates that a substantial number of such notifications have been given.

In essence this means extra distant signals in the smaller markets and extra overlapping Grade B signals in the major markets. How many smaller market stations who cannot afford sophisticated legal counsel have been victimized by this unique grandfathering provision? How many notifications in short have been given for smaller television markets since February 2 which have not been opposed?

SERVICE OF APPLICATIONS

The opinion rejects the AMST suggestion that full copies of applications for certificate of compliance be served on all Grade B stations, noting that copies can be reviewed at the cable system's office or at the FCC. Perhaps MST's suggestion does go too far. But significantly, Athena Communications, New Channels Corporation, Buckeye Cablevision, Jerrold Electronics and Cox Cable Communications, in their oppositions, agreed that at least all local stations entitled to carriage on the CATV should be served with copies of the full application. The opinion again assumes erroneously, that all TV stations can afford Washington attorneys who can easily review papers in the FCC's offices.

FOREIGN LANGUAGE STATIONS

The majority treats the U.S. foreign language stations most shabbily. These are struggling UHF stations, some losing money, some barely making it. The majority lets CATVs import Mexican foreign language stations into the U.S. without restriction—even though the Mexican fare is the same as appears on the U.S. stations, only a year more recent. The majority says that the local UHF foreign language can object. Why should the burden be on the UHF to undertake relatively expensive proceedings? And what about the community where there will now never be a local foreign language station because a CATV imports Mexican stations?

Further, these U.S. stations get no anti-leapfrogging benefits. A CATV can be located 100 miles away from the U.S. foreign language station and yet can go 600 miles to Mexico if it wants to do so. How does the majority square this with its desire to help UHF, with its insistence that an ordinary UHF independent could not be bypassed if located within 200 miles (in the case of the third independent)?

CONCLUSION

The Commission has labored hard and long in its attempt to expand television service to the American public via the glittering promises of cable. I hope that our expectations bear fruit that we can all enjoy, without it having an adverse if not crippling impact on the public's existing *free* broadcast service—in rural and urban America.

CONCURRING OPINION OF COMMISSIONER NICHOLAS JOHNSON

The Commission today disposes of all the pending petitions for reconsideration of the Cable Television Report and Order, —— F.C.C. 2d ——, 24 P&F Radio Reg. 1501 (1972). It thus clears the way for the beginnings of cable television in those limited markets which as a result of the rules, will be able to support the new technology. Although I have some reservations about certain aspects of our disposition of these petitions, I nonetheless concur in it.

When the Commission issued the Report and Order in February of 1972, I dissented in part to the rules it adopted. (*See*, —— F.C.C. 2d ——, 24 P&F Radio Reg. ——, as well as my unreported opinion released Feb. 28, 1972.) In my view, our adoption of those rules violated a fundamental trust we hold for the public. We acceded to industry pressure and accepted a compromise position that neither expressed our own best judgment as to what many important rules should be, nor what would best serve the public. We adopted rules that will make cable development in many of our largest cities much more unlikely. There is no point in once again setting out those objections in detail. Nothing in today's decision changes the view I expressed at that time, and I continue to adhere to those dissenting opinions and incorporate them here by reference.

However, today's action must be addressed on its own merits. The rules have been adopted. These are petitions for reconsideration before us. And while I do have some reservations about the way in which they have been disposed of (set out more ful'y below), none is serious enough to merit a dissent. Further, with consideration of the basic document completed, we are now free to begin processing applications for Certificates of Compliance, and I would like to face that task as a united Commission.

Before proceeding with a brief discussion of my reservations, I should mention a significant development that occurred between the adoption of the rules and today's action.

On May 2, 1972 Judge Motley decided the case of *CBS* v. *TelePrompTer*, —— F. Supp. —— (S.D.N.Y. 1972). In this case, Judge Motley followed—and extended—the Supreme Court decision in *Fortnightly Corp.* v. *United Artists Television, Inc.*, 392 U.S. 390 (1968). She held that cable systems were not liable under the copyright laws for the use of distant broadcast signals when those signals are imported by microwave.

It is not unreasonable to assume that had the cable compromise been effected after the decision in *CBS* v. *TelePrompTer*, both the cable

industry—and the viewing public—would have been better served. The incentives on the part of the broadcasters and copyright holders to seek copyright legislation would have been higher, and the trade-offs they would have been willing to make to get agreement on the copyright legislation would have been more substantial.

But all this is now history. What has the Commission done today?

(1) *Rocky Mountain Rule.* From the moment the compromise agreement was signed, representatives of the small market broadcasters in the Rocky Mountain area besieged the Commission with requests for special relief. They argued (a) that the 35 mile zones around television markets were not large enough to protect many small market stations which had sizable audiences outside of these zones, (b) that there was no justification in distinguishing between major markets and small markets with regard to syndicated exclusivity protection afforded broadcasters, (c) that there was no justification for permitting unlimited importation of distant signals by systems located outside of the 35 mile zones, (d) that there was no reason to permit leapfrogging (not taking closest distant signals first) by systems outside of the major markets, and (e) that simultaneous exclusivity for network programming was not sufficient protection for stations in the Rocky Mountain Time Zone. Each and every argument was designed to persuade the Commission to accord even further protection to these stations than that provided by the February 3, 1972, Report and Order.

In its discussions of the original cable television rules, the Commission thoroughly analyzed the special problems of the Rocky Mountain broadcasters. We noted that it was in this very area that cable television has thus far developed to the greatest extent, unencumbered by our earlier rules which in effect "froze" cable development in the major markets. And in the years during which cable has been developing, we have been unable to locate a single licensee who has been seriously injured as a result of the competition of a cable television system. Nothing filed by the Rocky Mountain Broadcasters altered this analysis. Thus, in our Report and Order, we did not include any special relief, but we did note that we would keep our eye on the situation, and were prepared to act appropriately in the event of a showing that some station was, in fact, substantially injured by these rules.

The barrage of lobbying did not stop when we adopted our rules. But no new data was submitted which substantiated the economic injury these broadcasters fear. Yet, in this reconsideration opinion, the Commission has acceded to the request of the Rocky Mountain Broadcasters, and has expanded the previously delineated simultaneous network exclusivity to same day exclusivity in this time zone.

I am not unsympathetic to the fears of the small market broadcaster, and am certainly prepared to take action to protect their reasonable economic interests, but I would have preferred doing so *after* we had some evidence that they would be injured without our intervention. By amending our rules to require same day network exclusivity in these markets, we have acted not in response to facts, but in response

to pressure.[1] Moreover, it is somewhat irrational, even as a response to pressure; for there are many other areas of the United States that could make equally "persuasive" arguments of their need for extraordinary economic protectionism.

(2) *Due Process and Franchising.* Our rules create a mixed regulatory system, with the initial decision making power vested in either state or municipal entities, subject only to review by the Commission for compliance with our rules. In the rules, we have required that no franchise be awarded except after a public proceeding affording due process. In the Report and Order, we say that

> we expect that franchising authorities will publicly invite applications, that all applications will be placed on public file, that notice of such filings will be given, that where appropriate a public hearing will be held to afford all interested persons an opportunity to testify on the qualifications of the applicants, and that the franchising authority will issue a public report setting forth the basis for its action.

While this language is heartening, the Commission, by couching it in terms of expectation rather than requirement, has neatly ducked the issue as to what its response will be when, in the certificating process, we receive an allegation that either these standards, or due process—to the extent that the Constitutional standard may differ from those set out in our Rules—have not been followed. Will we refuse to grant a certificate of compliance? Will we defer to state or federal courts? Will we set applications for hearings? If so, does an allegation and a denial put the case into issue?

The Commission has not addressed this problem in its rules or in this opinion on reconsideration. But its failure to address it will not make the problem vanish. And, in my view, it is more appropriate to address it now rather than wait for a series of cases.

(3) *Access Channels.* The rules provide that cable systems in the top 100 markets must dedicate one channel for first-come-first-served public access. They are not permitted to charge for live performances under five minutes, and may only make modest charges for production expenses on programs longer than that. Under the rules, if this one free channel is full the cable system may charge for the use of a second channel. I proposed that we amend the rules to require cable systems to provide a second free public access channel when the first is full. Such a requirement would be, of course, subject to the other provisions of the rules regarding access channels. That is, it could be leased for profit when not in use as a public access channel, and in the event that such expansion would require substantial rebuilding of the system, the cable operator would be permitted a reasonable amount of time to meet this requirement.

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[1] It is interesting to note that during the course of our deliberations on the rules themselves, we were told that it was all or nothing with respect to the provisions of the "compromise" worked out between the various big business interests and the White House. In providing this across-the-board relief to the Rocky Mountain Broadcasters, however, that argument was not heard. We have taken liberty with that compromise, which provided only for "special relief" for individual broadcasters with time zone problems as to network exclusivity—not an entire time zone. I have no complaint with our deviation from a compromise we never should have been bound to in the first place. I do find it curious, however, that the one instance that prompted this action was one in which we give even more to the broadcasting industry, and one in which we have absolutely no facts upon which to act.

Given both the unlimited capacity of cable, and the theoretical goals we have established for it—in particular, provision of access for media-disenfranchised groups—it seemed to me that this was a desirable approach. It seemed unlikely that any system now existing or soon to be constructed would need this extra access channel, and thus the rule would establish a useful principle while not working an immediate hardship on any system.

This provision was defeated by the Commission on reconsideration. Hopefully, one public access channel is sufficient in most markets. When this is no longer the case, I will urge the Commission to respond positively, either in rulemaking or on an ad hoc basis.

(4) *Complexity.* I have been concerned about the trend to large conglomerate take-overs in the cable industry. The complexity of our rules and documents only makes that more likely. Repeatedly I have requested—and been promised—a simple FCC publication explaining cable. It has yet to appear. I am not sure a small town cable operator ought to have to choose between acting illegally, hiring an army of expensive attorneys, or selling out to a large company that already has the lawyers. Today's decision, I fear, exacerbates rather than alleviates this problem.

(5) *Other rulemakings.* I had also believed it was our intention that the other rulemakings affecting cable—sports, ownership, radio, subscription, and so forth—would be simultaneously resolved (or substantially advanced) with this document. I regret that has not been completed, and trust we will move to it expeditiously.

Despite these shortcomings, and despite my continuing objections both to the procedure and the substance of our rules as reflected in the Report and Order, I concur in today's action. The time for bickering about the past is over. We must now devote ourselves to the task of actually integrating cable into the program distribution market in those cities in which our rules do not act as an economic bar.

And this task will not be easy. We have stated time and time again that the philosophy behind these rules is a "go, no-go" approach. And yet we have built in to both the Report and Order and this opinion on reconsideration numerous instances in which we will have to make findings on petitions to waive our rules or to adopt more stringent provisions. These sections operate for the benefit of both broadcasters and cable owners. However, if we engage in wholesale deviation from our rules in countless ad hoc decisions, or worse, find ourselves unable to resolve promptly the underlying factual allegations in such cases, it is clear that the one group who will not benefit from this situation is the viewing public. And we have played fast and loose with their interests long enough. It is crucial that nothing in our rules, or any interpretation of them, serves to delay any longer the development of cable television in whatever limited form it may now take. It is with this note of cautious optimism that I concur.

CONCURRING STATEMENT OF COMMISSIONER H. REX LEE

I joined in the Commission's August 5, 1971, "Letter of Intent" to Congress because I believed that the proposals contained therein

for the future regulation of cable television represented a viable resolution of competing and conflicting interests and an effective means of encouraging the growth of an explosive new technology. The regulatory scheme embodied in the "Letter of Intent" recognized that the expanding multichannel capacity of cable systems could be utilized to provide a variety of new communications services, including access and leased channels for the use of community groups, educational, governmental and other entities, and that some incentive was necessary to provide the economic base for such non-broadcast services.

As a result, we agreed to permit the importation of distant television signals by cable systems—the number of distant signals to vary with the ability of a television market to absorb the increased competition. For example, cable systems located in the smaller television markets (below the top 100) could provide the signals of three network affiliates and one independent station whereas systems located in communities beyond the 35-mile zones of all television markets would be permitted unlimited distant signal carriage. The approach of the Commission was entirely a pragmatic one that attempted to balance the need for ensuring the continuation of a healthy over-the-air broadcasting system with the ever-increasing need for opening the door to the benefits of cable technology.

However, before the Commission could finalize its proposals, the principal industries involved in the long-standing cable-copyright dispute, prodded by government representatives, arrived at a consensus agreement, which provided for three major modifications in the August 5, 1971, plan: (1) the agreement contemplated the implementation of syndicated programming exclusivity in the top 100 television markets and substituted simultaneous for same-day protection for network programming; (2) the agreement changed the significant viewing standard applied to out-of-market independent stations in overlapping market situations; and (3) the agreement restructured leapfrogging restrictions so that distant signal importation, if from any of the top 25 television markets, would be limited to one of the two closest such markets.

Since the consensus agreement represented a major step in the resolution of differences among copyright holders, broadcasters and cable operators and since these interests pledged to support a legislative solution of the copyright issue, the majority of the Commission concurred in the adoption of the agreement's provisions in the *Cable Television Report and Order*. In so doing, the Commission reiterated its belief that cable television's success ultimately depends on the technology's provision of innovative nonbroadcast services. Unfortunately, in the attempt to incorporate the entire agreement into the cable regulatory scheme, the Commission failed to give adequate consideration to several aspects of its new regulations.[1]

Upon reconsideration, however, the Commission has effectively addressed itself to certain areas of concern, and it is for that reason that I concur in the action now being taken. For example, same-day

[1] I was absent at the time of the adoption of the *Cable Television Report and Order* by the Commission.

network program exclusivity has been restored to stations in the Mountain Standard Time Zone (with the exception of those stations in the top 50 television markets) in order to alleviate serious problems caused by time zone differences and network feeds. I fully concur in the revision incorporated in the cable rules which provides for the carriage of low power non-commercial translators by cable systems located in communities served by the translators. Such carriage is essential in most instances since translators often represent the only effective means of disseminating educational programming to remote and rural areas where service is urgently needed.

Nevertheless, there are some areas of concern to me where I would have preferred a different course of action. The amount of protection accorded to smaller market stations worries me since there are many people who are located in sparsely-populated and isolated areas of the country where are is no reasonable opportunity for cable development and where there is almost total dependence on over-the-air broadcasting for news, information and entertainment programming. I would have preferred to extend leapfrogging restrictions to all areas outside of 35-mile zones to prevent the by-passing of nearer distant signals. Such restrictions would not necessarily hinder cable development since systems could continue to import an unlimited number of distant signals—but they might lessen any competitive impact on local stations, especially those stations that depend on their total service areas for revenues. Such restrictions could also lessen pressure to permit importation of distant signals into the central cores of television markets.

Similarly, I would have preferred to provide some form of syndicated programming exclusivity to the smaller market stations. It is indeed unfortunate that, in our attempt to adopt the consensus agreement, we should ignore our announced concern for stations in the smaller markets. It seems reasonable to assume that if smaller market stations require network protection—as provided in the *Cable Television Report and Order*—they should also be entitled to non-network protection and they should not be disregarded merely because copyright holders do not derive much revenue from them.

A persuasive showing has also been made in the reconsideration requests that the 35-mile zone concept may be unrealistic as applied to smaller market stations, like those in the Rocky Mountain area. The Rocky Mountain Broadcasters Association has asserted that there could be substantial impact on station revenues through the unrestricted importation of distant signals into areas beyond the 35-mile zones of area stations. This assertion is reinforced when one considers the widespread and thinly-populated areas of the region, the fact that, in some cases, city-grade contours reach out over 35 miles and the further fact that, by some estimates, upwards of one-half of a station's viewers reside beyond the 35-mile zone. While I have welcomed the additional relief afforded smaller market stations whose signals must be carried if significantly viewed in the cable system's community, I am wary of the effectiveness of our special relief provisions to meet all of the problems that may be faced by such stations. Nevertheless, I

have not dissented to the Commission's resolution of these matters—instead, I will give careful scrutiny to showings made by smaller market stations in connection with the certificating process to ensure the survival of over-the-air broadcasting in the less-populated and rural areas of the country. Again, I must emphasize that my concern is not motivated by any philosophy of economic protectionism—it is based on the knowledge that there are large numbers of people in isolated areas who may not know the benefits of cable television for some time and who, therefore, must depend on this Commission for an effective and viable broadcast service.

Several other matters should be mentioned as well. I would have preferred to correct a long-standing deficiency in our cable regulations which, in effect, provides for an automatic stay of network exclusivity requirements pending the Commission's consideration of a waiver request by a cable operator. The burden, as in all waiver cases, should be imposed on the proponent of the waiver request. I do not believe that the cost of equipment necessary to achieve compliance with our exclusivity rules or past precedent in the cable field is sufficient justification for continued non-compliance by a cable operator. Moreover, the imposition of an automatic stay can establish viewing habits by cable subscribers that may have to be disrupted if waiver is not granted by the Commission.

I am also concerned about the possibility that surveys of significantly viewed signals may become no more than an easy device to add additional signals to cable system carriage, based on fluctuations in viewing patterns. While I am most hesitant to suggest conditions whereby cable systems would be forced to choose between the deletion of signals (no longer significantly viewed) and those whose audience has improved, I would favor a requirement that would limit the carriage of significantly viewed signals by a cable system. I already fear that the significant viewing provision of our rules will become bogged down in a survey-counter-survey contest and will inundate a staff that currently has 550 certificate of compliance applications to process.

In its *Order*, the Commission also indicates that disputes about franchising authorities will not necessarily delay the certificating process and that "conditional" certificates may be a means of avoiding the problem until the "local issues" have been resolved. I am afraid that such a course of action would effectively inject the Commission into local jurisdictional disputes and would represent a reversal of the Commission's dedication to a "structured dualism" in cable regulation. I would prefer that we reject any attempt to have the Commission become involved in local disputes over franchising authority.

One further aspect of the Commission's cable policy must be mentioned. Throughout this long proceeding, the Commission has maintained that one of the fundamental goals of our cable policy is to provide for the advancement of educational and instructional television. I believe, in general, our cable policy has been fashioned in that direction. However, I would have preferred a more liberal approach toward the designation of access channels for educational use. In this important area, any potential deficiencies in our new rules can hopefully be rectified through coordinated planning by local educational

entities, franchising authorities, and, of course, cable operators for the allocation and utilization of cable bandwidth for educational purposes.

In the "Letter of Intent" to Congress, the Commission cited the outstanding proceeding dealing with cross and multiple cable ownership problems. Particularly mentioned was the important question concerning the cross-ownership ban on ETV stations and cable systems. The Commission promised that "we will split out matters such as this for resolution before our new rules become effective." I am most disturbed that this has not happened. Accordingly, I would strongly urge the Commission to consider this question as soon as possible.

My preferences in certain matters have not led me to dissent, for I am prepared to abide by the results reached in the Commission's *Order*, at least for the time being. However, as I have already indicated, I intend to remain alert to these problems and any others that seem to indicate that our cable regulatory scheme may deprive viewers of over-the-air broadcasting or is not capable of producing the great variety of non-broadcast uses that the technology promises. Cable television can function to alleviate our serious communications needs and can effectively increase the number of local outlets for community self-expression. I intend to hold cable television to its promise—for our rules and that promise represent the only meaningful agreement we have.

CONCURRING STATEMENT OF COMMISSIONER CHARLOTTE T. REID

Today we write another chapter in the continuing episode of Cable Television.

Following our adoption of the Cable Television Report and Order on February 2, 1972, numerous petitions for reconsideration, oppositions, requests for stay, and replies were filed by interested parties. However, no stay was granted and thus the new Cable Rules became effective on March 31, 1972. We have reviewed, discussed and considered the many arguments posed by the parties in those pleadings and have now reached our decision on the Reconsideration of the Cable Television Report and Order.

In my separate concurring statement to the action of the Commission in the adoption of the Cable Television Report and Order I said:

> While I do not find myself in complete accord with each and every item set forth in the new Rules, the fact that these rules reflect the concensus agreement reached by the principal parties (cable television system owners, broadcasters, and copyright owners) are far better than no rules at all. It, therefore, seems clearly in the public interest to give implementation to the compromise agreement and for that reason, I concur with the results of the Commission's action.
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> We must be fully aware however, that there may be problems in some areas. A particular concern to me, is the impact which these rules may have on broadcasters located in the smaller markets. It is for this reason that we have provided that the Rules do not become effective until March 31, 1972. Should there be difficulties, persons affected thereby may bring these to the Commission's attention in their Petitions for Reconsideration.

It appears from the pleadings filed that at least some parties believed there were difficulties posed by the new Rules. Through their petitions they tried to bring them to the attention of the Commission so that the Commission could act and find solutions where possible. While I think our action today does address *some* of those problems I am constrained to say that we have not addressed them all, nor have we addressed them as fully as I believe we should. For this reason, I believe it better to concur in the result, and to call attention to those areas where I believe problems are either unanswered or unresolved. Hopefully, by pointing out those areas where I feel more could and should have been done I can contribute to the betterment of the Cable Rules.

With respect to the smaller markets, and more particularly, the Mountain Time Zone problem—while I recognize that the granting of same day exclusivity may be helpful to some of the problems expressed by the smaller broadcasters, it would likewise seem much more reasonable to do something about expanding the 35 mile market zone. I feel that the 35 mile market zone is entirely unrealistic for the less populated areas. Instead of meeting that problem squarely, we merely state that any broadcaster who may wish to do so, may file a petition for special relief pursuant to Section 76.6 of the Rules.

In paragraph 19 of the Memorandum Opinion and Order, page 9, we say we will permit the carriage of network programs from distant stations when those programs are not broadcast by local network affiliates. I do not agree with this and would have favored the adoption of the following language:

We do not believe that a change in our Rules is warranted to accommodate the contention of cable interests that carriage of network news and public affairs programs not available in the community be permitted. In determining the number of signals that may be carried, we have struck a delicate balance and see no reason to allow the carriage of additional network signals. Although our definition of a full network station refers to the clearance of 85 percent of the hours of prime time programming offered by a network, our analysis reveals that primary affiliates generally clear a much higher percentage of network programs. Where less than 85 percent of the prime time hours are not cleared, the cable system may import additional network service. Furthermore, when blacking-out programs to provide syndicated exclusivity protection, the cable system may, in fact, substitute network programming subject to the limitation of simultaneous (or same day) network exclusivity.

I believe there was not a sufficient showing made by the cable interests to warrant our granting such carriage of signals. Surely we should give the utmost care and attention to petitions for special relief which may be filed in this area.

I also would have preferred to have the following language included in paragraph 53 (significant viewing) and 64 (grandfathering) of the Memorandum Opinion and Order adopted today.

Paragraph 53

Finally, as we have stated, we must always be willing to take account of the unusual situation. See *U.S.* v. *Storer Broadcasting Co.*, —— U.S. ——, —— (19—). While we believe our general approach is sound in view of the above described considerations, the unusual exception can be brought to our attention (see Section 76.7) and we would of course always seek to act in a manner that is reasonable and reflects the public interest in any particular case.

Last Sentences—Paragraph 64

In short, we believe that we should await experience and the actual case before formulating any "automatic" policy. For the present, we do not think it unfair that the burden be upon the cable system (and any interested broadcaster) to show why it should not be held to the number of significantly viewed signals found in the survey relied upon by the system, with the latter thus having the option to hold fast to present signals or to add new signals, if consistent with the total figure in the survey. In this way, we shall have the full facts before us when we act upon any such request.

Another problem which was brought to the attention of the Commission by Petitions for Reconsideration was the problem of importing a foreign station for foreign language programs under the provisions of Section 76.58(4)(b); 76.59(2)(d); 76.61(2)(e).

This problem was brought to our attention by licensees of domestic foreign language stations whose signals may not be carried by cable systems because they can microwave in a foreign station at less cost. I believe we should have permitted cable systems to carry only those foreign stations whose signals were available off the air, and prohibit the importation of such signals by microwave, from a foreign station. This is especially true when non-English broadcast stations are readily available to the cable system at a minimal cost, especially so when they are Domestic Stations and it seems reasonable to me to protect them.

The examples described in footnote 50 of the Initial Report and Order were not mere illusions, but are in fact exactly what is happening today in the southwestern part of the United States. We attempt to answer this problem by saying that—

In unusual situations where a domestic Spanish-language station makes a compelling demonstration for relief with respect to a particular application, we can afford such relief under Section 76.7.

While I recognize that they probably will file for special relief, and I would hope we would welcome it and grant favorable relief, I firmly believe that a general policy would have been more beneficial.

While I feel our action today is again a step in the right direction I also feel that we could have done more. Hopefully when problems continue to arise, those persons affected will not feel hesitant to seek appropriate relief and when warranted the Commission should give that relief without hesitation.